

# FEDERAL REGISTER

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## The President

### EXECUTIVE ORDER 9578

#### APPROVING REGULATIONS OF THE CIVIL SERVICE COMMISSION UNDER THE FEDERAL EMPLOYEES PAY ACT OF 1945

By virtue of the authority vested in me by section 605 of the Federal Employees Pay Act of 1945, I hereby approve the following regulations prescribed by the Civil Service Commission:

#### REGULATIONS UNDER THE FEDERAL EMPLOYEES PAY ACT OF 1945

By virtue of the authority vested in the U. S. Civil Service Commission by section 605 of the Federal Employees Pay Act of 1945, the Commission hereby promulgates the following regulations for the administration of the provisions of that Act, effective on and after July 1, 1945.

#### CHAPTER I. OVERTIME PAY REGULATIONS

##### Part I. Extent of Overtime Pay Regulations

SECTION 101. *Employees to whom these regulations apply.* These regulations apply to all civilian officers and employees in or under the executive branch of the United States Government, including Government-owned or controlled corporations, except those specified in section 102 of these regulations.

SEC. 102. *Employees to whom these regulations do not apply.* These regulations do not apply to:

- (a) Elected officials;
- (b) Heads of departments or independent establishments or agencies, including Government-owned or controlled corporations; i. e., heads of governmental establishments in the executive branch which are not component parts of any other such establishments.
- (c) Officers and employees in or under the field service of the Post Office Department;
- (d) Employees whose basic compensation is fixed and adjusted from time to time in accordance with prevailing rates by wage boards or similar administrative authority serving the same purpose, ex-

*The Codification Guide, consisting of a numerical list of the parts of the Code of Federal Regulations affected by documents appearing in this issue, follows the table of contents.*

cept that section 404 (d) of these regulations shall be applicable to such employees whose basic rate of compensation is fixed on an annual or monthly basis;

(e) Employees outside the continental limits of the United States, including those in Alaska, who are paid in accordance with local prevailing native wage rates for the area in which employed;

(f) Officers and employees of the Inland Waterways Corporation;

(g) Officers and employees of the Tennessee Valley Authority;

(h) Individuals to whom the provisions of section 1 (a) of the Act entitled "An Act to amend and clarify certain provisions of law relating to functions of the War Shipping Administration, and for other purposes," approved March 24, 1943 (Public Law No. 17—78th Congress), are applicable;

(i) Officers and members of the United States Park Police and the White House Police; and

(j) Employees of the Transportation Corps of the Army of the United States on vessels operated by the United States, vessel employees of the Coast and Geodetic Survey, and vessel employees of the Panama Railroad Company.

##### Part II. Definitions

SEC. 201. *Basic workweek for full-time officers and employees.* "Basic workweek" for full-time officers and employees means the forty-hour workweek established pursuant to section 301 (a) of these regulations.

SEC. 202. *Administrative workweek for full-time officers and employees.* "Administrative workweek" for full-time officers and employees means the administrative workweek established pursuant to section 301 (b) of these regulations.

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Book 2: Titles 32-50, with 1943 General Index and 1944 Codification Guide.

The complete text of the Cumulative Supplement (June 1, 1938-June 1, 1943) is still available in ten units at \$3.00 each.

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SEC. 203. *Basic rate of compensation.* (a) "Basic rate of compensation" means the rate of compensation fixed by law or administrative regulation for the position held by the officer or employee, exclusive of overtime compensation and extra pay for night or holiday work, but inclusive of (a) any salary differential for duty outside the continental United States, or in Alaska, and (b) the value of quarters, subsistence, and other maintenance allowances under section 3 of the Act of March 5, 1928, 45 Stat. 193, U. S. Code, Title 5, Sec. 75a.

(b) Hereafter for all pay computation purposes basic per annum rates of compensation established by or pursuant to law shall be regarded as payment for employment during fifty-two basic workweeks of forty hours.

SEC. 204. *Irregular or occasional overtime duty.* "Irregular or occasional overtime duty" means hours of employment in excess of the regularly scheduled administrative workweek.

## Part III. Regulations To Be Prescribed by Heads of Departments and Agencies

SEC. 301. *Establishment of basic workweek and administrative workweek.* Heads of departments or independent establishments or agencies, including Government-owned or controlled corporations, shall, with respect to each group of full-time employees to whom these regulations apply, establish by general public regulation, to be effective July 1, 1945:

(a) A regularly scheduled basic workweek of forty hours in length which shall not extend over more than six of any seven consecutive days. Such regulation shall specify the names of the calendar days constituting the basic workweek and, for each of such calendar days, the number of hours of employment included within the basic workweek.

(b) (1) A regularly scheduled administrative workweek which shall consist of the forty-hour basic workweek established in accordance with section 301 (a) of these regulations, plus such period of overtime work as will be regularly required of each group of employees. The periods of time included in such administrative workweek which do not constitute a part of the basic workweek shall be identified by names of calendar days and by number of hours per day for purposes of leave and overtime pay administration.

(2) In the case of employees whose work includes periods during which they are required to remain on duty and render "stand-by service" at or within the confines of their stations, the length of the administrative workweek, for the purpose of these regulations, shall be the total number of regularly scheduled hours of duty per week (or in rotating-shift systems, the average number of regularly scheduled hours of duty per week for the cycle), including all such "stand-by" or "on call" time except that allowed by regulation of the department or independent establishment for sleep and meals.

SEC. 302. *Compensatory time off for irregular or occasional overtime duty.* Heads of departments or independent establishments or agencies, including Government-owned or controlled corporations, may, with respect to officers and employees to whom these regulations apply, prescribe regulations effective as of July 1, 1945, for the granting of compensatory time off from duty, in lieu of overtime compensation, for irregular or occasional duty in excess of forty-eight hours in any regularly scheduled administrative workweek, to those per annum employees requesting such compensatory time off from duty.

## Part IV. Overtime Work and Overtime Compensation

SEC. 401. *Overtime compensation authorized.* (a) Officers or employees to whom these regulations apply shall be paid overtime compensation, computed as provided in section 404 of these regulations, for all hours of employment officially ordered or approved in excess of



forty hours in any administrative workweek, including irregular or occasional overtime duty.

(b) Any per annum employee may request compensatory time off, in lieu of overtime pay, for irregular or occasional duty in excess of forty-eight hours in any regularly scheduled administrative workweek, in accordance with administrative regulations issued pursuant to section 302 of these regulations. Unless compensatory time off for such irregular or occasional overtime duty is specifically requested by the employee it shall be paid for in money when due.

(c) Heads of departments or independent establishments or agencies, including Government-owned or controlled corporations, may delegate to any officer or employee authority to order or approve overtime in excess of the administrative workweek. No overtime in excess of the administrative workweek shall be ordered or approved except in writing by an officer or employee to whom such authority has been specifically delegated by the head of the department or independent establishment or agency, or Government-owned or controlled corporation.

**SEC. 402. Computation of overtime employment.** The computation of the amount of overtime employment of an officer or employee shall be subject to the following conditions:

(a) *Leave with pay.* Absence from duty on authorized leave with pay during the time when an employee would otherwise have been required to be on duty during the basic workweek (including authorized absence on legal holidays and during the compensatory time off provided for in section 302 and 401 (b) of these regulations) shall be considered to be employment and shall not have the effect of reducing the amount of overtime compensation to which the employee may be entitled during an administrative workweek. Leave of absence with pay shall not be charged for any absence which does not occur during the forty hours prescribed as the basic workweek. If in an administrative workweek, the officer or employee does not actually work during any overtime period in excess of the forty hours prescribed as the basic workweek, no overtime compensation shall be paid.

(b) *Night or holiday duty.* Hours of night or holiday duty shall be considered as employment on the same basis as daytime hours or an ordinary day's duty for the purpose of computing the number of hours of overtime employment under these regulations. Any extra compensation for night or holiday duty shall not, however, be included in any basic rate in computing overtime compensation under these regulations.

(c) *Service subject to other overtime statutes.* Overtime services for which overtime compensation is paid under any of the following statutes shall not form a basis for overtime employment under these regulations: Act of February 13, 1911, as amended (U.S.C., title 19, secs. 261 and 267) involving inspectors, storekeepers, weighers, and other customs officers and employees; Act of July 24, 1919

(41 Stat. 241; U.S.C., title 7, sec. 394) involving employees engaged in enforcement of Meat Inspection Act; Act of June 17, 1930, as amended (U.S.C., title 19, sec. 1450, 1451, and 1452) involving customs officers and employees; Act of March 2, 1931 (46 Stat. 1467; U.S.C., title 8, secs. 109a and 109b) involving inspectors and employees, Immigration and Naturalization Service; Act of May 27, 1936, as amended (52 Stat. 345; U.S.C., title 46, sec. 382b) involving local inspectors of steam vessels and assistants, U. S. shipping commissioners, deputies and assistants, and customs officers and employees; Act of March 23, 1941 (55 Stat. 46; U.S.C., sup. IV, title 47, sec. 154 (f) (2)) involving certain inspectors of the Federal Communications Commission; Act of June 3, 1944 (Public Law 328—78th Congress) involving customs officers and employees.

**SEC. 404. Computation of overtime compensation.** (a) For employees whose basic compensation is at a rate less than \$2,980 per annum, the overtime hourly rate shall be one and one-half times the basic hourly rate of compensation: *Provided*, That in computing such overtime compensation for per annum employees, the basic hourly rate of compensation shall be determined by dividing the basic per annum rate by two thousand and eighty (2,080).

(b) For employees whose basic compensation is at a rate of \$2,980 per annum or more, the overtime hourly rate shall be in accordance with and in proportion to the following schedule, subject to the limitation contained in subsection (c) of this section.

Basic rate of compensation per annum:	Overtime rate of compensation per 416 overtime hours
\$2,980.....	\$894.000
\$3,090.....	885.554
\$3,200.....	877.108
\$3,310.....	868.662
\$3,420.....	860.216
\$3,530.....	851.770
\$3,640.....	843.324
\$3,750.....	834.878
\$3,860.....	826.432
\$3,970.....	817.986
\$4,080.....	809.540
\$4,190.....	801.094
\$4,300.....	792.648
\$4,410.....	784.202
\$4,520.....	775.756
\$4,630.....	767.310
\$4,740.....	758.864
\$4,850.....	750.418
\$5,180.....	725.080
\$5,390.....	708.955
\$5,600.....	692.831
\$5,810.....	676.707
\$6,020.....	660.583
\$6,230.....	644.458
\$6,440 and over.....	628.334

**NOTE.**—In the foregoing schedule the overtime rate for 416 overtime hours for any basic rate of compensation in excess of \$2,980 per annum is computed by subtracting from \$894, 7.6782 per centum of the amount by which such basic rate is in excess of \$2,980 per annum; with the condition that the rate for 416 overtime hours for all salaries of \$6,440 or more shall be \$628.334.

(c) Notwithstanding the provisions of subsection (b) of this section, the overtime compensation payable to any officer or employee to whom these regulations

apply shall, with respect to any pay period, be limited to such rate as will not cause his aggregate compensation for such pay period to exceed a rate of \$10,000 per annum: *Provided, however*, That any such officer or employee who was receiving overtime compensation on June 30, 1945, and whose aggregate rate of compensation on such date was in excess of \$10,000 per annum may receive overtime compensation at such rate as will not cause his aggregate rate of compensation for any pay period to exceed the aggregate rate of compensation he was receiving on June 30, 1945, until he ceases to occupy the office or position he occupied on such date or until the overtime hours of work in his administrative workweek are reduced by action of the head of his department or independent establishment or agency, or Government-owned or controlled corporation, and when such overtime hours are reduced such rate of overtime compensation shall be reduced proportionately.

(d) Employees whose basic rate of compensation is fixed on an annual or monthly basis and adjusted from time to time in accordance with prevailing rates by wage boards or similar administrative authority serving the same purpose shall be entitled to overtime pay in accordance with the provisions of section 23 of the Act of March 28, 1934 (U.S.C., 1940 edition, title 5, sec. 673c). The rate of compensation for each hour of overtime employment of any such employee shall be computed as follows:

(1) If the basic rate of compensation of the employee is fixed on an annual basis, divide such basic rate of compensation by two thousand and eighty (2080) and multiply the quotient by one and one-half; and

(2) If the basic rate of compensation of the employee is fixed on a monthly basis, multiply such basic rate of compensation by twelve to derive a basic annual rate of compensation, divide such basic annual rate of compensation by two thousand eighty (2080), and multiply the quotient by one and one-half.

(e) Whenever, for the purpose of computing overtime pay under these regulations, it is necessary to convert a basic monthly or annual rate to a basic weekly, daily or hourly rate the following rules shall govern:

(1) A monthly rate shall be multiplied by 12 to derive an annual rate;

(2) An annual rate shall be divided by 52 to derive a weekly rate;

(3) A weekly rate shall be divided by 40 to derive an hourly rate; and

(4) A daily rate shall be derived by multiplying an hourly rate by the number of daily hours of service required.

## CHAPTER II. PERIODIC WITHIN-GRADE SALARY ADVANCEMENT REGULATIONS

### Part I. Extent of Periodic Within-Grade Salary Advancement Regulations

**SEC. 101. Officers and employees to whom these regulations apply.** These regulations apply to all officers and employees, except those who are appointed by the President, by and with the advice and consent of the Senate, who (a) are compensated on a per annum basis, (b) occupy permanent positions within the



scope of the compensation schedules fixed by the Classification Act of 1923, as amended, and (c) have not reached the maximum rate of compensation for the grade in which their positions are respectively allocated.

#### Part II. Definitions

SEC. 201. *Permanent positions.* "Permanent positions" means positions other than those designated as temporary by law and other than those established for definite periods of one year or less. Positions to which appointments are made under the War Service Regulations for the duration of the war and six months thereafter are permanent positions within the scope of this definition.

SEC. 202. *Positions within the scope of the compensation schedules fixed by the Classification Act of 1923, as amended.* "Positions within the scope of the compensation schedules fixed by the Classification Act of 1923, as amended", means positions in the departmental and field services, in the executive, legislative, and judicial branches, in Government-owned or Government-controlled corporations, and in the municipal government of the District of Columbia, the compensation of which has been fixed on a per annum basis, pursuant to the allocation of such positions to the appropriate grade either by the Civil Service Commission or by administrative action of the department, establishment, agency, or corporation concerned, in accordance with the compensation schedules of the Classification Act of 1923, as amended.

SEC. 203. *Equivalent increase in compensation.* (a) "Equivalent increase in compensation" means any increase or increases in basic compensation which in total, at the time such increase or increases are made, are equal to or greater than the compensation increment in the lowest grade in which the employee has served during the time period of twelve or eighteen months, as the case may be. (b) The following are not "equivalent increases in compensation":

- (1) Increases in basic rates of compensation provided by section 405 of the Federal Employees Pay Act of 1945;
- (2) Rewards for superior accomplishment as provided in sections 403 and 404 of the Federal Employees Pay Act of 1945; or
- (3) Increases as the result of the establishment of a new minimum rate for any class of positions in accordance with section 401 of the Federal Employees Pay Act of 1945.

SEC. 204. *Current efficiency.* "Current efficiency" means the official efficiency rating on record appropriate for within-grade salary advancement purposes, in accordance with the uniform efficiency-rating system.

SEC. 205. *War transfer.* "War transfer" means any transfer authorized by the Civil Service Commission under Executive Order Nos. 8973 of December 12, 1941, or 9067 of February 20, 1942, War Manpower Commission Directive No. X, or War Service Regulation IX, under conditions entitling the employee to reemployment in his former position

or a position of like seniority, status, and pay.

SEC. 206. *Satisfactory record on war transfer.* "A satisfactory record on war transfer" means a record or finding that the transferred employee has been involuntarily furloughed or terminated without cause such as would reflect on his suitability for reemployment in the Federal service, from the position to which transferred.

SEC. 207. *Service in the merchant marine.* "Service in the merchant marine" means service as an officer or member of the crew on or in connection with a vessel documented under the laws of the United States or a vessel owned by, chartered to, or operated by or for the account or use of the Administrator, War Shipping Administration, service as an enrollee in the United States Maritime Service on active duty, and, to such extent as said Administrator shall prescribe, any period awaiting assignment to such service and any period of education or training for such service in any school or institution under the jurisdiction of the Administrator.

SEC. 208. *Certificate of satisfactory service in the merchant marine.* "Certificate of satisfactory service in the merchant marine" means the certificate issued by the War Shipping Administrator pursuant to the Act of June 23, 1943, 57 Stat. 162, U. S. Code, 1940 ed., supp. IV, Title 50 app., secs. 1471-1475, providing reemployment rights for persons who leave their positions to serve in the merchant marine.

#### Part III. Computation of Periods of Service

SEC. 301. *Service to be credited.* In computing the periods of service required for within-grade salary advancements there shall be credited to such service:

- (a) Continuous civilian employment in any branch (legislative, executive, or judicial), executive department, independent establishment or agency, or corporation of the Federal Government or in the municipal government of the District of Columbia.
- (b) Time elapsing on annual, sick, or other leave with pay.
- (c) Time elapsing in a non-pay status (including break in service) not exceeding thirty days within any one time period of twelve or eighteen months, as the case may be.
- (d) Service rendered prior to absence on furlough or leave without pay where such absence is in excess of thirty days but not exceeding one year.
- (e) Service in the armed forces, in the merchant marine, or on war transfer subject to the following conditions: The employee must have (1) left his position to enter the armed forces or the merchant marine, or to comply with a war transfer, (2) been separated under honorable conditions from active duty in the armed forces, or have received a certificate of satisfactory service in the merchant marine, or have a satisfactory record on war transfer, and (3) been restored, reemployed, or reinstated in any permanent position within the scope of the compensation schedules fixed by the

Classification Act of 1923, as amended, under regulations of the Civil Service Commission, or the provisions of any law providing for restoration or reemployment, or any other administrative procedure with respect to employees not subject to civil service rules and regulations. Any employee entitled to be credited with service under this subsection shall also be entitled to credit for civilian employment prior to leaving his position to enter the armed forces or the merchant marine, or to comply with a war transfer, in accordance with subsections (a), (b), (c), and (d) of this section.

#### Part IV. Conditions of Eligibility for Periodic Within-Grade Salary Advancements

SEC. 401. *Eligibility requirements and effective date.* Officers and employees to whom these regulations apply shall be advanced in compensation successively to the next higher rate within the grade at the beginning of the next pay period (including July 1, 1945) following the completion of (a) each twelve months of service if such officers or employees are in grades in which the compensation increments are less than \$200 per annum or (b) each eighteen months of service if such officers or employees are in grades in which the compensation increments are \$200 or more, subject to the following conditions:

- (1) That no equivalent increase in compensation from any cause was received during such period;
- (2) That an officer or employee shall not be advanced unless his current efficiency rating is "Good" or better than "Good."
- (3) That the service and conduct of such officer or employee are certified by the head of the department or independent establishment or agency, or Government-owned or controlled corporation, or such official as he may designate, as being otherwise satisfactory.

SEC. 402. *Exceptions to conditions (2) and (3) stated in section 401.* Conditions (2) and (3) of section 401 shall not apply upon the return to duty of any officer or employee (a) who, while serving under permanent, war service, temporary, or any other type of appointment, left his position to enter the armed forces or the merchant marine, or to comply with a war transfer, (b) who has been separated under honorable conditions from active duty in the armed forces, or has received a certificate of satisfactory service in the merchant marine, or has a satisfactory record on war transfer, and (c) who, under regulations of the Commission or the provisions of any law providing for restoration or reemployment, or under any other administrative procedure with respect to officers and employees not subject to civil service rules and regulations, is restored, reemployed, or reinstated in a permanent position within the scope of the compensation schedules fixed by the Classification Act of 1923, as amended, in which he would otherwise be eligible for within-grade salary advancement under these regulations.

#### Part V. Effect of Efficiency-Rating Changes

SEC. 501. *Effect of efficiency-rating changes.* In the event a change or ad-



justment is made in an officer's or employee's current efficiency rating, either by administrative action or as the result of a review and determination by a board of review in accordance with the provisions of section 9 of the Classification Act of 1923, as amended, the employee's eligibility for salary advancement shall be determined according to the efficiency rating as changed or adjusted and other conditions of the salary advancement plan, and any periodic within-grade salary advancement to which he may be entitled shall be made effective as of the date he would have received the advancement had no error been made in the original rating.

#### CHAPTER III. NIGHT PAY DIFFERENTIAL REGULATIONS

##### Part I. Extent of Night Pay Differential Regulations

SEC. 101. *Employees to whom these regulations apply.* These regulations apply to all civilian officers and employees in or under the executive branch of the United States Government, including Government-owned or controlled corporations, except those specified in section 102 of these regulations.

SEC. 102. *Employees to whom these regulations do not apply.* These regulations do not apply to:

- (a) Elected officials;
- (b) Heads of departments or independent establishments or agencies, including Government-owned or controlled corporations; i. e., heads of governmental establishments in the executive branch which are not component parts of any other such establishments.
- (c) Officers and employees in or under the field service of the Post Office Department;
- (d) Employees whose basic compensation is fixed and adjusted from time to time in accordance with prevailing rates by wage boards or similar administrative authority serving the same purpose;
- (e) Employees outside the continental limits of the United States, including those in Alaska, who are paid in accordance with local prevailing native wage rates for the area in which employed;
- (f) Officers and employees of the Inland Waterways Corporation;
- (g) Officers and employees of the Tennessee Valley Authority;
- (h) Individuals to whom the provisions of section 1 (a) of the Act entitled "An Act to amend and clarify certain provisions of law relating to functions of the War Shipping Administration, and for other purposes", approved March 24, 1943 (Public Law No. 17—78th Cong.), are applicable;
- (i) Officers and members of the United States Park Police and the White House Police;
- (j) Employees of the Transportation Corps of the Army of the United States on vessels operated by the United States, vessel employees of the Coast and Geodetic Survey, and vessel employees of the Panama Railroad Company;
- (k) Employees of the Bureau of Engraving and Printing who are entitled to a night pay differential under the Act

of July 1, 1944 (Public Law 394—78th Cong.); and

(l) Employees who are entitled to additional compensation for night work under any provision of law other than section 301 of the Federal Employees Pay Act of 1945.

##### Part II. Definitions

SEC. 201. *Basic rate of compensation.* "Basic rate of compensation" means the rate of compensation fixed by law or administrative regulation for the position held by the officer or employee, exclusive of overtime compensation and extra pay for night or holiday work but inclusive of (a) any salary differential for duty outside the continental United States, or in Alaska, and (b) the value of quarters, subsistence, and other maintenance allowances under section 3 of the Act of March 5, 1928, 45 Stat. 193, U. S. Code, Title 5, sec. 75a.

SEC. 202. *Regularly scheduled tour of duty.* "Regularly scheduled tour of duty" means the regular administrative workweek prescribed by the general public regulations issued by the head of a department or independent establishment or agency, including Government-owned or controlled corporations, in accordance with section 301 (b) of the Overtime Pay Regulations issued by the Civil Service Commission pursuant to the Federal Employees Pay Act of 1945.

SEC. 203. *Night work.* "Night work" means that part of a regularly scheduled tour of duty which falls between 6 o'clock p. m. and 6 o'clock a. m.

SEC. 204. *Night pay differential.* "Night pay differential" means the ten percent increase over the officer's or employee's basic rate of compensation, authorized by section 301 of the Federal Employees Pay Act of 1945.

##### Part III. Night Work and Payment of Night Differential

SEC. 301. *Night pay differential authorized.* Any officer or employee to whom these regulations apply shall be entitled to a ten percent increase over his basic rate of compensation for all hours of night work, computed in accordance with section 302 (c) of these regulations.

SEC. 302. *Computation of night pay differential.* (a) *Leave.* Payment of a night pay differential is not authorized during any period when the officer or employee is in a leave status.

(b) *Overtime.* The night pay differential shall not be included in the basic rate of compensation in computing any overtime compensation to which the officer or employee may be entitled.

(c) *Computation of rate of night pay differential.* Whenever it is necessary to convert a basic monthly or annual rate to a basic weekly, daily, or hourly rate for the purpose of computing the amount of the night pay differential, the following rules shall govern:

1. A monthly rate shall be multiplied by 12 to derive an annual rate;
2. An annual rate shall be divided by 52 to derive a weekly rate;

3. A weekly rate shall be divided by 40 to derive an hourly rate; and

4. A daily rate shall be derived by multiplying an hourly rate by the number of daily hours of service required.

U. S. Civil Service Commission.

Approved: June 29, 1945.

H. B. MITCHELL,  
LUCILE FOSTER McMILLIN,  
ARTHUR S. FLEMING,  
Commissioners.

THE WHITE HOUSE,  
June 30, 1945.

Approved: HARRY S. TRUMAN

[F. R. Doc. 45-11902; Filed, July 2, 1945;  
5:03 p. m.]

#### EXECUTIVE ORDER 9579

AMENDMENT OF EXECUTIVE ORDER NO. 8937 OF NOVEMBER 7, 1941, EXTENDING THE PERIOD OF ELIGIBILITY ON CIVIL SERVICE REGISTERS OR LISTS OF PERSONS WHO SERVE IN THE ARMED FORCES OF THE UNITED STATES

By virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 403, 404), and in order to extend the period of time for applying for the benefits of Executive Order No. 8937 of November 7, 1941, entitled "Extending the period of Eligibility on Civil Service Registers or Lists of Persons Who Serve in the Armed Forces of the United States", it is ordered that the proviso contained in the said order be, and it is hereby, amended to read as follows:

"Provided, That such persons shall notify the Civil Service Commission within 90 days after termination of their service in the armed forces or of hospitalization continuing after discharge for a period of not more than one year."

This order shall be effective as of December 8, 1944.

HARRY S. TRUMAN

THE WHITE HOUSE,  
June 30, 1945.

[F. R. Doc. 45-11899; Filed, July 2, 1945;  
5:03 p. m.]

#### EXECUTIVE ORDER 9580

AMENDMENT OF EXECUTIVE ORDER NO. 1888 OF FEBRUARY 2, 1914, AS AMENDED, RELATING TO CONDITIONS OF EMPLOYMENT IN THE SERVICE OF THE PANAMA CANAL AND THE PANAMA RAILROAD COMPANY ON THE Isthmus of Panama

By virtue of the authority vested in me by section 81 of title 2 of the Canal Zone Code, as amended by section 3 of the act approved July 9, 1937, 50 Stat. 487, it is hereby ordered as follows:

SEC. 1. Paragraph 31 of Executive Order No. 1888 of February 2, 1914, as amended by Executive Order No. 2514 of January 15, 1917, is hereby amended to read as follows:

"31. Leave taken shall be paid for at the same rate as that which the employee



would have received had he remained on duty during the period of leave."

SEC. 2. Paragraph 34 of the said order, as amended by Executive Order No. 2514 of January 15, 1917, is amended to read as follows:

"34. Employees shall be compensated for travel leave at the rate provided in paragraph 31 of this order."

SEC. 3. Paragraph 36 of the said order, as amended by Executive Order No. 2514 of January 15, 1917, and Executive Order No. 9467 of August 19, 1944, is further amended by adding at the end thereof the following sentence:

"The cash payment in commutation of leave under this paragraph shall equal the compensation that such employee would have received had he remained in the service until the expiration of the period of such leave."

SEC. 4. The provisions of this order shall apply to leave taken or commuted on or after the date of this order and only to such leave: *Provided, however*, That the provisions of this order shall not operate to reduce in any case the rate of payment for leave earned prior to the date of this order.

HARRY S. TRUMAN

THE WHITE HOUSE,  
June 30, 1945.

[F. R. Doc. 45-11898; Filed, July 2, 1945;  
5:03 p. m.]

#### EXECUTIVE ORDER 9581

AMENDING EXECUTIVE ORDER NO. 9299 OF FEBRUARY 4, 1943, TO GIVE THE TERRITORIAL WAR LABOR BOARD FOR THE TERRITORY OF HAWAII JURISDICTION OVER VOLUNTARY WAGE AND SALARY ADJUSTMENTS OF EMPLOYEES IN THE TERRITORY OF HAWAII SUBJECT TO THE RAILWAY LABOR ACT

By virtue of the authority vested in me by the Constitution and statutes of the United States, and particularly by section 2 of the act of October 2, 1942 (56 Stat. 765), it is hereby ordered that Executive Order 9299 of February 4, 1943 (8 F.R. 1669) prescribing regulations and procedure with respect to wage and salary adjustments for employees subject to the Railway Labor Act, be, and it is hereby, amended to provide that the Territorial War Labor Board for the Territory of Hawaii shall have jurisdiction over voluntary wage and salary adjustments of those employees in the Territory of Hawaii who are subject to the Railway Labor Act.

HARRY S. TRUMAN

THE WHITE HOUSE,  
June 30, 1945.

[F. R. Doc. 45-11900; Filed, July 2, 1945;  
5:03 p. m.]

#### EXECUTIVE ORDER 9582

RESTORING LAND TO THE TERRITORY OF HAWAII FOR AERONAUTICAL PURPOSES, AND RESERVING LAND FOR MILITARY PURPOSES

WHEREAS it is deemed advisable and in the public interest that certain land comprising a part of the Upolu Point Military Reservation, island of Hawaii, Territory of Hawaii, be restored to the Territory of Hawaii for aeronautical purposes, and that certain other public land on the island of Hawaii, Territory of Hawaii, be reserved for military purposes:

NOW, THEREFORE, by virtue of and pursuant to the authority vested in me by section 91 of the act of April 30, 1900, 31 Stat. 159, as amended by section 7 of the act of May 27, 1910, 36 Stat. 447, it is ordered as follows:

I. The following-described parcel of land comprising a part of the Upolu Point Military Reservation, Territory of Hawaii, is hereby restored to the possession, use, and control of the Government of the Territory of Hawaii for aeronautical purposes: *Provided, however*, That the parcel of land hereby restored shall be available at all times, and without charge therefor, for the taking off and landing of airplanes and airships of the United States, and that this privilege shall include such temporary occupation and maintenance of government airplanes and airships as may be deemed necessary by competent military authority:

Beginning at a pipe on the boundary between the lands of Kealahewa 3 and Opihipau, Hawaii, being also the South corner of Executive Order 556, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Puu o Nale" being 22984.56 feet North and 5922.54 feet West, as shown on Government Survey Registered Map 2366, and running by azimuths measured clockwise from true South:

1. 77°30', 495.80 feet along the remainder of Executive Order 749;
2. 167°30', 97.12 feet along the remainder of Executive Order 922;
3. 257°30', 450.00 feet along same;
4. 252°26'30'', 286.75 feet along same;
5. 342°16', 100.00 feet along same;
6. 72°16', 250.00 feet along the remainder of Grant 2774 to Kanehalau to the point of beginning.

The tract described contains an area of 1.67 acres.

II. The following-described parcel of land is hereby reserved and set apart for military purposes as a part of the Upolu Point Military Reservation, Opihipau lands, District of North Kohala, island of Hawaii, Territory of Hawaii:

Beginning at a point at the northeast corner of this parcel of land and on the boundary between the lands of Kealahewa 3 and Opihipau, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Puu o Nale" being 22850.89 feet North and 5819.04 feet West, as shown on Government Survey Registered Map 2366, and running by azimuths measured clockwise from true South:

1. 322°15', 135.02 feet along the remainder of Grant 2774 to Kanehalau;
2. 77°30', 625.50 feet along the remainder of Executive Order 922;
3. 167°30', 122.12 feet along same;
4. 257°30', 567.91 feet along Executive Order 924 to the point of beginning.

The tract described contains an area of 1.67 acres.

HARRY S. TRUMAN

THE WHITE HOUSE,  
June 30, 1945.

[F. R. Doc. 45-11901; Filed, July 2, 1945;  
5:03 p. m.]

#### EXECUTIVE ORDER 9583

AMENDMENT OF EXECUTIVE ORDER 9356 OF JUNE 24, 1943, PRESCRIBING REGULATIONS GOVERNING THE FURNISHING OF CLOTHING IN KIND OR PAYMENT OF CASH ALLOWANCES IN LIEU THEREOF TO ENLISTED PERSONNEL OF THE NAVY, THE COAST GUARD, THE NAVAL RESERVE, AND THE COAST GUARD RESERVE

By virtue of and pursuant to the authority vested in me by section 10 of the Pay Readjustment Act of June 16, 1942 (56 Stat. 359, 363), it is ordered that sections A1(a), A1(b), A2(a), A2(b), A3(a), and A3(b) of Executive Order 9356 of June 24, 1943, prescribing regulations governing the furnishing of clothing in kind or payment of cash allowances in lieu thereof to enlisted personnel of the Navy, the Coast Guard, the Naval Reserve, and the Coast Guard Reserve, be, and they are hereby, amended to read as follows:

A1(a) Chief petty officers, cooks, stewards, members of Navy, Naval Academy, or Coast Guard Academy Bands (band members):

For the fiscal year 1946----- \$300.00 \$20.00

A1(b) Enlisted men in other ratings:

For the fiscal year 1946----- \$143.20 \$12.00

A2(a) Subsequent to 30 days from date of enlistment or reporting for active duty:

For the fiscal year 1946----- \$250.00 \$20.00

A2(b) Within 30 days from date of enlistment or reporting for active duty:

For the fiscal year 1946----- \$156.80 \$20.00

A3(a) Subsequent to 30 days from date of enlistment or reporting for active duty:

For the fiscal year 1946----- \$250.00 \$20.00

A3(b) Within 30 days from date of enlistment or reporting for active duty:

For the fiscal year 1946----- \$156.80 \$20.00

This order shall become effective July 1, 1945.

HARRY S. TRUMAN

THE WHITE HOUSE,  
July 2, 1945.

[F. R. Doc. 45-11857; Filed, July 2, 1945;  
3:48 p. m.]

#### Regulations

##### TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission  
PART 26—REGULATIONS UNDER THE FEDERAL EMPLOYEES PAY ACT OF 1945

CROSS REFERENCE: For regulations under the Federal Employees Pay Act of 1945 approved by the President, see Executive Order 9578, *supra*.

18 F.R. 8777.



## TITLE 7—AGRICULTURE

Chapter XI—War Food Administration  
(Distribution Orders)

[WFO 22-8, Amdt. 3]

PART 1425—CANNED AND PROCESSED FOODS  
CANNED FRUITS, AND CANNED FRUIT JUICES,  
REQUIRED TO BE SET ASIDE DURING 1945

War Food Order No. 22-8 (10 F.R. 1257) is hereby amended to read as follows:

§ 1425.12 *Quota restrictions and allocations—(a) Definitions.* (1) Each term defined in War Food Order No. 22, as amended, shall, when used herein, have the same meaning as set forth for such term in said War Food Order No. 22, as amended.

(2) "Quota period" means, with respect to all products required to be set aside pursuant to this order, the period from January 1, 1945, to December 31, 1945, both inclusive.

(3) "Base period" means, with respect to all products required to be set aside pursuant to this order, the period from January 1, 1943, to December 31, 1944, both inclusive.

(4) "Base pack" means, when applied to each canned food listed in Column A of Table I, which table is attached hereto and is by this reference made a part of this order, one-half the total amount, by net weight, of all types, styles, varieties and grades of such food canned by the respective canner during the base period: *Provided*, That, if the respective canner canned any particular food listed in said Column A of Table I during only one of the two calendar years of the base period, his base pack for that food shall be his total pack, by net weight, of such food during the said calendar year of the base period in which he canned the said food. In the event a canner has no base pack for any product covered under this order, the set-aside percentage prescribed for such product shall be applied against his production thereof for the quota period, in the manner prescribed in paragraph (c) (1) (iii) hereof.

(b) *Applicability of this order.* The terms and conditions of this order shall be applicable to (i) all canned fruits, and all canned fruit juices, listed in said Column A of Table I which are packed during the quota period in any of the 48 States of the United States or the District of Columbia, and (ii) all canned pineapple, and all canned pineapple juice, which are packed during the quota period in the Territory of Hawaii.

(c) *Set-aside requirements—(1) Quantity to be set aside.* Each canner who packs, during the quota period, any canned fruit or fruit juice specified in said Column A of Table I shall set aside and hold for sale and delivery to a Government agency out of his quota period pack of each such product a quantity computed as follows:

(i) If he packed such product in the base period, a quantity obtained by (a)

multiplying his base pack thereof by the applicable percentage set forth in Column D of said Table I, or (b) taking his entire quota period pack of such product, whichever amount is the lesser;

(ii) If he packed such product in the base period, and his quota period pack is more than twice as great as his base pack, all that part of his quota period pack which exceeds twice the amount of his base pack shall be set aside in addition to the quantity computed under (i) above;

(iii) If he did not pack such product in the base period, a quantity obtained by multiplying his quota period pack by the applicable percentage set forth in Column D of said Table I. Each such canner shall, prior to packing such product, notify the Director, by letter, of his intention to do so and shall state in such letter how much of each such product he expects to pack in the quota period.

(2) *Exceptional circumstances.* Each canner who, pursuant to the provisions of this order, is required to set aside any product listed in said Column A of Table I shall be deemed to have met the set-aside requirements of this order if he sets aside the entire quantity of the respective product which is in his possession on the effective date of this order, plus the quantity of such product which he packs during the quota period after this order becomes effective, even though such amount is less than the quantity of the respective product required to be set aside by the provisions of this order as set forth hereinabove.

(3) *Preference grades.* Not less than two-thirds of the total quantity of each product set aside hereunder shall be of the first preference grade, as specified in said Table I, unless the canner's quota period pack of the first preference grade is insufficient therefor, in which event his entire quota period pack of the first preference grade shall be set aside. Any balance remaining to be set aside shall be of the second or third preference grades as specified in said Table I: *Provided*, That the canner's full quota period pack of the second preference grade must be set aside before any part of his pack of third preference grade may be applied against the required set-aside. If any balance then remains to be set aside, such balance shall be in such grades packed by the canner as may be specified by the Director.

(4) *Types of containers.* In the event a canner packs a canned product covered hereunder partly in tinplate containers and partly in glass containers, the portion to be set aside for Government agency from the several preference grades of such product in accordance with the provisions of (c) (1), (2), or (3) hereof shall be that which is packed in tinplate to the extent that the respective grades are so packed in tinplate by such canner; and the particular product packed by such canner in glass containers shall be set aside from any such first preference grade only in the event and to the extent necessary to meet any such

deficiency when there is not enough of the respective product of that preference grade packed by such canner in tinplate to meet the set-aside requirements for such grade.

(5) *Sizes of containers.* Within the limits of, and subject to the restrictions set forth in (c) (1), (2), (3), and (4) hereof, and to the extent that such quantity is available from the particular canner's pack, a minimum of one-third and a maximum of two-thirds (except with the consent of the particular procuring Government agency) of the quota of any canned product for Government agency shall be set aside in the largest can size specified for that product in Column I of said Table I to the extent that the product is packed by the respective canner in such largest can size in the respective preference grades, and the remainder, if any, of the set-aside quota for such canned product shall be in the other can sizes, if any, specified in Column I of said Table I: *Provided*, That the portion of the set-aside quantity of the canned product represented by the contingency reserve percentage for such product shown in Column C of said Table I may, at the option of the particular canner, be packed and set aside in any can size which he may have available.

(d) *Reports.* The reports required by § 1425.1 (c) of War Food Order No. 22, as amended, shall be submitted on form OMS-140 (formerly FDA-685). The reports shall be submitted to the Director within 15 calendar days after the completion of the pack.

(e) *Purchase, inspection, and specifications.* The Army of the United States is hereby allocated the quotas prescribed herein for Government agency, and the Army may purchase said quotas for its own account or for the account of other Government agencies whenever it has agreed with such agencies to do so. The Army and the Office of Marketing Services, respectively, are authorized to inspect and grade such canned foods pursuant to § 1425.1 (d) of War Food Order No. 22, as amended. The Army is further authorized to issue specifications at any time with regard to the processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping of such canned foods pursuant to § 1425.1 (b) (5) of War Food Order No. 22, as amended.

(f) *Provisions of War Food Orders No. 22-4, as amended and 22-6, as amended, not affected.* The provisions of this order shall not be considered as rescinding or modifying the provisions of War Food Order No. 22-4, as amended (8 F.R. 6573, 11590; 10 F.R. 103), or the provisions of War Food Order No. 22-6, as amended (9 F.R. 1824, 6497, 10927; 10 F.R. 103).

(g) *Effective date.* This order shall be effective as of 12:01 a. m., e. w. t., June 30, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 22-8, as amended, prior to the effective time of this amendment, all of



the provisions of said War Food Order No. 22-8, as amended, in effect prior to the effective time of this amendment shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, appeal, right or liability.

NOTE: All reporting requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392,

8 F.R. 14783; WFO No. 22, as amended, 8 F.R. 2243, 6397; 9 F.R. 4321, 4319, 9584; 10 F.R. 103)

Issued this 29th day of June 1945.

C. W. KITCHEN,  
Director of Marketing Services.

TABLE I—CANNED FRUITS AND CANNED FRUIT JUICES

A	B	C	D	E	F	G	H	I
Product	Percentage of base pack			Type, style, variety (sequence does not denote preference)	Grade preference			Can size
	Specific reserve	Contingency reserve	Total (cols. B and C)		First	Second	Third	
Apples	72	*3	80	Heavy pack	Standard	Fancy		10.
Applesauce	48	*6	54		Fancy	Standard		10-2.
Apricots	58	*3	61	Halved, unpeeled	Choice	Standard (fancy not desired).	Pie or water pack	10-2½.
Berries <sup>1</sup>	90	*10	100		Water pack	(2)		10.
Blueberries	130	*10	140		Water pack	(2)		10.
Cherries, sweet	22	*3	25		Choice	Fancy	Standard	10-2½-2.
Figs	75	*5	80	Kadota	Choice	Fancy	Standard	10-2½.
Fruit cocktail	44	*10	54		Top choice	Fancy		10-2½.
Peaches	64	*10	64	Yellow clingstone, halved or sliced.	Choice <sup>2</sup>	Top std. <sup>4</sup>		10-2½.
				Yellow freestone, halved or sliced.	Choice	Fancy		10-2½.
Pears	70	*10	80	Bartlett, halved	Choice	Top std. <sup>4</sup>	Fancy	10-2½.
Pineapple	60	*10	70	Sliced, crushed, chunks, tidbits (except cocktail tidbits).	Fancy	Choice	Standard	10-2½-2.
Pineapple juice	38	*10	48		Fancy			10-3 cyl.-2.
Plums and prunes (fresh Italians).	22	*3	25		Choice	Fancy		10-2½.

\*Indicates that Government intends to purchase all of contingency reserve in addition to the specific reserve.

<sup>1</sup> Blackberries, boysenberries, loganberries, youngberries only. Percentage applies to combined pack of the four varieties.

<sup>2</sup> Syrup pack not desired.

<sup>3</sup> Not below 15 points for absence of defects. Not below 15 points for character, with a total minimum not below 80 points as defined in terms of U. S. grades.

<sup>4</sup> Top Standard means 70-74 inclusive as defined in terms of U. S. grades.

[F. R. Doc. 45-11624; Filed, June 29, 1945; 4:56 p. m.]

[WFO 22-9, Amdt. 3]

PART 1425—CANNED AND PROCESSED FOODS  
CANNED VEGETABLES, AND CANNED VEGETABLE  
JUICES, REQUIRED TO BE SET ASIDE DURING  
1945

War Food Order No. 22-9, as amended (10 F.R. 1260, 5761, 7155), is hereby further amended to read as follows:

§ 1425.11 *Quota restrictions and allocations*—(a) *Definitions*. (1) Each term defined in War Food Order No. 22, as amended, shall, when used herein, have the same meaning as set forth for such term in said War Food Order No. 22, as amended.

(2) "Quota period" means, with respect to sauerkraut, the period from September 1, 1945, to August 31, 1946, both inclusive; and, with respect to all other products required to be set aside pursuant to this order, the period from January 1, 1945, to December 31, 1945, both inclusive.

(3) "Base period" means: (i) with respect to sauerkraut, the period from September 1, 1941, to August 31, 1942, both inclusive; (ii) with respect to sweet potatoes, the period from January 1, 1941, to December 31, 1941, both inclusive; and (iii), with respect to all other products required to be set aside pursuant to this order, the period from January 1, 1943, to December 31, 1944, both inclusive.

(4) "Base pack" means: (i) when applied to sauerkraut or sweet potatoes, the total amount, by net weight, of all types,

styles, varieties, and grades canned by the respective canner during the base period; and (ii), when applied to each canned food, other than sauerkraut or sweet potatoes, listed in Column A of Table I, which table is attached hereto and is by this reference made a part of this order, one-half the total amount, by net weight, of all types, styles, varieties, and grades of such food canned by the respective canner during the base period: *Provided*, That if the respective canner canned any particular food, other than sauerkraut or sweet potatoes, listed in said Column A of Table I during only one of the two calendar years of the base period, his base pack for that food shall be his total pack, by net weight, of such food during the said calendar year of the base period in which he canned the said food. In the event a canner has no base pack for any product covered under this order, the set-aside percentage prescribed for such product shall be applied against his production thereof for the quota period, in the manner prescribed in paragraph (c) (1) (iii) hereof.

(b) *Applicability of this order*. The terms and conditions of this order shall be applicable to all canned vegetables, and all canned vegetable juices, listed in said Column A of Table I which are packed during the quota period in any of the 48 States of the United States or the District of Columbia.

(c) *Set-aside requirements*—(1) *Quantity to be set aside*. Each canner who packs, during the quota period, any

canned vegetable or vegetable juice specified in said Column A of Table I shall set aside and hold for sale and delivery to a Government agency out of his quota period pack of each such product a quantity computed as follows:

(i) If he packed such product in the base period, a quantity obtained by (a) multiplying his base pack thereof by the applicable percentage set forth in Column D of said Table I, or (b) taking his entire quota period pack of such product, whichever amount is the lesser;

(ii) If he packed such product in the base period, and his quota period pack is more than twice as great as his base pack, all that part of his quota period pack which exceeds twice the amount of his base pack shall be set aside in addition to the quantity computed under (i) above;

(iii) If he did not pack such product in the base period, a quantity obtained by multiplying his quota period pack by the applicable percentage set forth in Column D of said Table I. Each such canner shall, prior to packing such product, notify the Director, by letter, of his intention to do so, and shall state in such letter how much of each such product he expects to pack in the quota period.

(2) *Exceptional circumstances*. Each canner who, pursuant to the provisions of this order, is required to set aside any product listed in said Column A of Table I shall be deemed to have met the set-aside requirements of this order if he sets aside the entire quantity of the



respective product which is in his possession on the effective date of this order, plus the quantity of such product which he packs during the quota period after this order becomes effective, even though such amount is less than the quantity of the respective product required to be set aside by the provisions of this order as set forth hereinabove.

(3) *Preference grades.* Not less than two-thirds of the total quantity of each product set aside hereunder shall be of the first preference grade, as specified in said Table I, unless the canner's quota period pack of the first preference grade is insufficient therefor, in which event his entire quota period pack of the first preference grade shall be set aside. Any balance remaining to be set aside shall be of the second or third preference grades as specified in said Table I: *Provided*, That the canner's full quota period pack of the second preference grade must be set aside before any part of his pack of third preference grade may be applied against the required set-aside. If any balance then remains to be set aside, such balance shall be in such grades packed by the canner as may be specified by the Director.

(4) *Types of containers.* In the event a canner packs a canned product covered hereunder partly in tinplate containers and partly in glass containers, the portion to be set aside for Government agency from the several preference grades of such product in accordance with the provisions of (c) (1), (2) or (3) hereof shall be that which is packed in tinplate to the extent that the respective grades are so packed in tinplate by such canner; and the particular product packed by such canner in glass containers shall be set aside from any such first preference grade only in the event and to the extent necessary to meet any such deficiency when there is not enough of the respective product of that preference grade packed by such canner in tinplate

to meet the set-aside requirements for such grade.

(5) *Sizes of containers.* Within the limits of, and subject to the restrictions set forth in (c) (1), (2), (3), and (4) hereof, and to the extent that such quantity is available from the particular canner's pack, a minimum of one-third and a maximum of two-thirds (except with the consent of the particular procuring Government agency) of the quota of any canned product for Government agency shall be set aside in the largest can size specified for that product in Column I of said Table I to the extent that the product is packed by the respective canner in such largest can size in the respective preference grades, and the remainder, if any, of the set-aside quota for such canned product shall be in the other can sizes, if any, specified in Column I of said Table I: *Provided*, That the portion of the set-aside quantity of the canned product represented by the contingency reserve percentage for such product shown in Column C of said Table I may, at the option of the particular canner, be packed and set aside in any can size which he may have available.

(d) *Reports.* The reports required by § 1425.1 (c) of War Food Order No. 22, as amended, shall be submitted on form OMS-140 (formerly FDA-685). The reports shall be submitted to the Director within 15 calendar days after the completion of the pack.

(e) *Purchase, inspection, and specifications.* The Army of the United States is hereby allocated the quotas prescribed herein for Government agency, and the Army may purchase said quotas for its own account or for the account of other Government agencies whenever it has agreed with such agencies to do so. The Army and the Office of Marketing Services, respectively, are authorized to inspect and grade such canned foods pursuant to § 1425.1 (d) of War Food Order No. 22, as amended. The Army is fur-

ther authorized to issue specifications at any time with regard to the processing, packing, containers, container treatment, can marking, labeling, boxing, and strapping of such canned foods pursuant to § 1425.1 (b) (5) of War Food Order No. 22, as amended.

(f) *Provisions of War Food Orders No. 22-4, as amended, and 22-6, as amended, not affected.* The provisions of this order shall not be considered as rescinding or modifying the provisions of War Food Order No. 22-4, as amended (8 F.R. 6573, 11590; 10 F.R. 103), or the provisions of War Food Order No. 22-6, as amended (9 F.R. 1824, 6497, 10927; 10 F.R. 103).

(g) *Effective date.* This order shall be effective as of 12:01 a. m., e. w. t., June 30, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 22-9, as amended, prior to the effective time of this amendment, all of the provisions of said War Food Order No. 22-9, as amended, in effect prior to the effective time of this amendment shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, appeal, right or liability.

NOTE: All reporting requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO No. 22, as amended, 8 F.R. 2243, 6397; 9 F.R. 4321, 4319, 9584; 10 F.R. 103)

Issued this 29th day of June 1945.

C. W. KITCHEN,  
Director of Marketing Services.

TABLE I—CANNED VEGETABLES AND CANNED VEGETABLE JUICES

A	B	C	D	E	F	G	H	I
Product	Percentage of base pack			Type, style variety (sequence does not denote preference)	Grade preference			Can size
	Specific Reserve	Contingency reserve	Total (cols. B and C)		First	Second	Third	
Asparagus.....	61	*4	65	All green or culturally bleached.	Fancy cut.....	Fancy spear.....		10-2 1/4-2.
Beans, lima.....	33	*3	36	Fresh	Extra std.....	Top std. <sup>1</sup> .....	Fancy.....	10-2.
Beans, snap.....	43	*7	50	Green, cut; wax, cut.....	Extra std.....	Top std. <sup>1</sup> .....	Fancy.....	10-2 1/4-2.
Beets.....	46	*6	52	Cut, quartered, diced, sliced.....	Fancy.....	Top std. <sup>1</sup> .....		10-2 1/4-2.
Carrots.....	85	*10	95	Diced.....	Fancy.....	Top std. <sup>1</sup> .....		10-2 1/4-2.
Corn, sweet <sup>2</sup> .....	38	*6	44	White, yellow, cream style, whole kernel.	Fancy.....	Extra std. <sup>1</sup> .....	Top std. <sup>1</sup> .....	10-2-12 oz.
Peas.....	38	*5	43	Alaska 3, 4, sieve; sweet 3-sieve and larger, ungraded.	Extra.....	Top.....	Fancy.....	10-2.
Potatoes, sweet.....	41	*6	47	Whole pieces and mashed.....	Standard.....			2 1/4-2.
Pumpkin or squash.....	40	*6	46		Fancy.....	Top std. <sup>1</sup> .....		2 1/4.
Sauerkraut.....	63	*7	70		Fancy.....	Top std. <sup>1</sup> .....		10-2 1/4-2.
Spinach.....	70	*7	77		Extra std.....	Top std. <sup>1</sup> .....	Fancy.....	10-2 1/4-2.
Tomatoes.....	55	*8	63		Fancy 29-33% solids.	Fancy 88% solids or over.	Fancy 25-29% solids.	10-3 cyl.-2 1/4-2; 14 oz. glass or larger.
Tomato catsup.....	41	*6	47		Fancy.....			10-3 cyl.-2.
Tomato juice.....	21	*6	27	Heavy (minimum specific gravity—1.045).	Fancy.....			10.
Tomato puree.....	19	*3	22		Fancy.....			10-2 1/4-2-6 oz.
Tomato paste.....	25	*3	28		Fancy.....			

<sup>1</sup> Top standard means 70-74 inclusive as defined in terms of U. S. grades.

<sup>2</sup> Top standard means 80-84 inclusive as defined in terms of U. S. grades.

<sup>3</sup> Full inside enamel cans required. Number 10 cans to be used for whole kernel only.

<sup>4</sup> Indicates that Government intends to purchase all of contingency reserve in addition to the specific reserve.



[WFO 4-9]

## PART 1450—TOBACCO

## CIGAR FILLER AND BINDER TYPES OF TOBACCO

Pursuant to War Food Order No. 4 (8 F. R. 335) issued on January 7, 1943, as amended (8 F. R. 828, 11331, 9 F. R. 4321, 4319, 9584; 10 F. R. 103), and to effectuate the purposes of such order, as amended, it is hereby ordered as follows:

§ 1450.15 *Restrictions on the purchase of cigar filler and binder types of tobacco*—(a) *Definitions*. (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) "Tobacco" means tobacco of the 1945 crop of the cigar filler types numbered 41, 42, 43, and 44, and the cigar binder types numbered 51, 52, 53, 54, and 55, as defined in the Service and Regulatory Announcement No. 118 (7 CFR 30.1 et seq.) of the United States Department of Agriculture, promulgated by the Secretary of Agriculture on October 14, 1929.

(b) *Restrictions*. After the effective time hereof, no person shall, in any manner whatsoever, purchase, contract to purchase, or accept an option to purchase tobacco.

(c) *Effective date*. This order shall become effective at 12:01 a. m., e. w. t., July 1, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 4, as amended, 8 F.R. 335, 11331, 9 F.R. 4321, 4319, 9584; 10 F.R. 103)

Issued this 29th day of June 1945.

C. W. KITCHEN,

Director of Marketing Services.

[F. R. Doc. 45-11771; Filed, June 30, 1945; 8:32 p. m.]

[WFO 120-6, Amdt. 2]

## PART 1405—FRUITS AND VEGETABLES

## IRISH POTATOES

War Food Order No. 120-6, as amended (10 F.R. 6549, 7787), is hereby further amended by deleting therefrom the provisions in § 1405.57 (b) and inserting, in lieu thereof, the following:

(b) *Specifications relative to territorial scope*. The provisions of War Food Order No. 120, as amended, shall be applicable to any shipment of Irish potatoes from the counties of Accomac and Northampton in the State of Virginia.

The provisions of this amendment shall become effective at 12:01 a. m., e. w. t., July 4, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 120-6, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 120-6, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 120, as amended, 9 F.R. 14475; 10 F.R. 103, 1823)

Issued this 30th day of June 1945.

C. W. KITCHEN,

Director of Marketing Services.

[F. R. Doc. 45-11846; Filed, July 2, 1945; 12:24 p. m.]

[WFO 131-1, Amdt. 1]

## PART 1430—SUGAR

## MISCELLANEOUS AMENDMENTS

War Food Order No. 131-1 (10 F.R. 7132), is hereby amended as follows:

1. By deleting paragraph (a) (3) and substituting in lieu thereof the following:

(3) "Primary distributor" means any person who manufactures direct consumption sugar or who imports or brings direct consumption sugar into the 48 States or the District of Columbia from any place other than Canada or Mexico, for the purpose of sale or transfer.

2. By deleting paragraph (a) (4) and substituting in lieu thereof the following:

(4) "Governmental agency" means the Army, Navy, Marine Corps, or Coast Guard of the United States (including United States Army Post Exchanges, United States Navy Ships' Service Departments, United States Marine Corps Post Exchanges, and similar organizations), War Food Administration (including any corporate agency thereof), Veteran's Administration, War Shipping Administration, or any other agency of the United States designated by the Director.

3. By deleting paragraph (a) (5) and substituting in lieu thereof the following:

(5) "Authorized purchaser" means:

(i) Any person other than a primary distributor who delivers sugar, directly or indirectly, to an exempt agency listed in section 16.5 of 2d Rev. RO 3 of the Office of Price Administration, or to Army Exchanges, Post Exchanges, Ships' Service Departments ashore of the Navy or Coast Guard, Commissary Stores, Ships' Service Departments of training organizations of the War Shipping Administration, and similar activities designated by exempt agencies;

(ii) Any person who delivers sugar, directly or indirectly, or products containing sugar to an agency entitled to replacement of sugar in products under General Ration Order 11 of the Office of Price Administration; or

(iii) Any person other than a Governmental agency who obtains sugar for export.

4. By deleting paragraph (a) (6) and substituting in lieu thereof the following:

(6) "Ration evidence" means certificates, checks, coupons, and stamps which authorize the delivery of sugar under the sugar rationing regulations of the Office of Price Administration.

5. By deleting paragraph (d) and substituting in lieu thereof the following:

(d) *Delivery to authorized purchasers*. Effective July 1, 1945, no primary distributor shall deliver direct consumption sugar to any authorized purchaser unless such authorized purchaser endorses and transfers to the primary distributor the ration evidence issued or transferred to such authorized purchaser. No person shall be entitled to rely upon any such ration evidence if he knows or has reasonable cause to believe it to be false.

This amendment shall become effective at 12:01 a. m., e. w. t., July 3, 1945. With respect to violations, rights accrued, liabilities incurred or appeals taken, prior to said date, under War Food Order No. 131-1, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 131, 10 F.R. 7131)

Issued this 30th day of June 1945.

C. W. KITCHEN,

Director of Marketing Services.

[F. R. Doc. 45-11847; Filed, July 2, 1945; 12:24 p. m.]

## TITLE 10—ARMY: WAR DEPARTMENT

## Chapter VIII—Supplies and Equipment

## Subchapter C—Termination of Contracts

[Joint Termination Regulation (PR 15)]

## MISCELLANEOUS AMENDMENTS

## Correction

In Federal Register Document 45-11544, appearing at page 7981 of the issue for Saturday, June 30, 1945, the signature at the end for the War Department should read "J. A. ULIO, Major General, The Adjutant General, War Department."

## TITLE 14—CIVIL AVIATION

## Chapter I—Civil Aeronautics Board

[Amdt. 60-2]

## PART 60—AIR TRAFFIC RULES

## REDUCTION OF PRESCRIBED ALTITUDES

## Correction

Paragraph 2 of Federal Register document 45-11833, appearing on page 8097 of the issue for Tuesday, July 3, 1945, should read as follows:

2. By striking "1,000" from the "Chart of Visibility and Proximity-to-Cloud Minimums" in § 60.110 and inserting in lieu thereof "700."

## TITLE 29—LABOR

## Chapter VI—National War Labor Board

## PART 803—GENERAL ORDERS

RETAIL HARDWARE STORES, SAN FRANCISCO AND ALAMEDA COUNTIES, CALIF., AND CLEANING AND DYEING INDUSTRY, SAN JOSE, CALIF.

The National War Labor Board, under this paragraph (d) of § 803.4 has ap-



proved the following exceptions to the exemption provided for in paragraph (a) of this order:

(65) Retail hardware stores in San Francisco and Alameda Counties, California, according to the following definition: retail hardware stores—stores selling at retail any combination of the basic lines of hardware such as tools, builders—hardware and paint and glass, housewares and household appliances, and cutlery. Does not include stores selling paint only, or paint, glass and wallpaper. (Approved June 20, 1945)

(66) Cleaning and dyeing industry within the city of San Jose, California, according to the following definition: establishments engaged in dry cleaning, dyeing and/or pressing apparel and household fabrics. (Approved June 20, 1945)

(E.O. 9250, Oct. 2, 1942, 7 F.R. 7871; as amended by E.O. 9381, Sept. 25, 1943, 8 F.R. 13083; E.O. 9328, Apr. 8, 1943, 8 F.R. 4681; Act of Oct. 2, 1942, C 578, 56 Stat. 765, Pub. Law 729, 77th Cong.)

THEODORE W. KHEEL,  
Executive Director.

[F. R. Doc. 45-11905; Filed, July 3, 1945;  
9:35 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—War Production Board

**AUTHORITY:** Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

#### PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Direction 6, as Amended June 30, 1945]

#### RESTRICTIONS ON DELIVERY AND RECEIPT OF CERTAIN SPECIES OF HARDWOOD LUMBER

Direction 6 to Order L-335 is hereby amended to read as follows:

(a) *What this direction does.* This direction controls the delivery by sawmills and distributors and the receipt by consumers of "restricted hardwood lumber." For the purposes of this direction "restricted hardwood lumber" means any #1 common or better grades (or special grades which are equivalent to #1 common or better grades) of white oak (including WHND), red oak, birch, beech, pecan, rock elm, hard maple, and tough ash produced by sawmills which currently manufacture 30,000 or more board feet of hardwood lumber per week of operation or which manufactured an average of 30,000 or more board feet of hardwood lumber per week during the period June 3, 1943 to December 3, 1943 when in operation. This direction applies to deliveries of any of the above grades and species when shipped in combination grades of log run or #2 common and better. It does not apply to deliveries of hardwood lumber between sawmills nor does it restrict the delivery of White Ash to Ash Specialists under Direction 11 to Order L-335. However, White Ash Specialists in delivering tough ash to consumers and distributors must follow the provisions of this direction.

(b) *Deliveries prohibited except on orders bearing special certificate.* No sawmill of the kind described in paragraph (a) above and no distributor may deliver "restricted hardwood lumber" except on orders bearing one of the certificates described in paragraphs

(f) and (g) below. These certificates may not be accepted by a sawmill or distributor unless they bear an authorization number.

(c) *Restriction on placement of orders by Class I Consumers.* Except as authorized on Forms WPB-3640 or GA-2425 (or by letter from the War Production Board amending the authorization on such forms) a Class I consumer may not place an order with a lumber supplier to obtain restricted hardwood lumber. If the authorization on Forms WPB-3640 or GA-2425 (or letter from the War Production Board amending the authorization) permits the Class I consumer to receive a specified amount of restricted hardwood lumber, then the Class I consumer may order and receive within the quarter for which the authorization is valid the amount (but no more) stated on the authorization. A class I consumer authorized to receive restricted hardwood lumber must use the certificate described in paragraph (f) below in addition to the regular certificate required by Order L-335. The certificate described in paragraph (f) below will not be valid and cannot be accepted by a distributor or sawmill unless the authorization number assigned to the Class I consumer is inserted in the space provided in the certificate. If the authorization is on Form WPB-3640 for the second quarter, the authorization number appears in the upper right margin of that form, and if the authorization is on Form WPB-3640 for the third quarter, or on GA-2425, the authorization number will be placed in column (c) on the line designated for restricted hardwood lumber. If an authorization to receive restricted hardwood lumber is by letter amending an authorization on Forms WPB-3640 or GA-2425, then the number will be assigned to the Class I consumer in that letter. All applications for authorization to order and receive restricted hardwood lumber, whether filed on Form WPB-3640 or as a request by letter for reconsideration of a former action on Form WPB-3640 or GA-2425, shall include a statement specifying fully the use to which such lumber is to be put, the amount of lumber required for such use, the number of the military contract held by the applicant which requires the use of this type of lumber, and if known, the military contracting officer familiar with the contract. Letters of request should be addressed to the War Production Board, Lumber and Lumber Products Division, Washington 25, D. C., Ref. L-335, Direction 6, and letters requesting reconsideration must indicate the code letters and number appearing on the Form WPB-3640 in the box marked "For WPB Entries Only." Within the available supply authorizations will be granted to consumers for use on military contracts where substitutes cannot be used. Authorizations may also be granted in cases of highly essential civilian items (such as farm machinery) where continued production of those items will be affected because of inadequate inventory of hardwood lumber.

(d) *Placement of orders by consumers other than Class I consumers.* Unless authorized in writing by the War Production Board or by paragraph (e) below, no Class II consumer or farmer may place an order with a lumber supplier to obtain the restricted hardwood lumber. If a Class II consumer or farmer is authorized by the War Production Board in writing or by paragraph (e) below to receive restricted hardwood lumber, he must use the certificate provided for in paragraph (f) below on his orders for such lumber. That certificate will not be valid and may not be accepted unless the authorization number (assigned by the War Production Board) is inserted in the space provided for in the certificate. Requests for authorizations to order and receive restricted lumber shall be made by mailing a letter to the Lum-

ber and Lumber Products Division, War Production Board, Washington 25, D. C., Ref.: L-335, Direction 6, stating the quantity required, the use to which such lumber is to be put, the number of the military contract held by the applicant which requires the use of this type of lumber and, if known, the name of the military contracting officer familiar with the contract. Within the available supply, authorizations will be granted to Class II consumers for use on military contracts where substitutes cannot be used. Authorizations may also be granted in case of highly essential civilian items (such as farm machinery) where continued production of those items will be affected because of inadequate inventory of hardwood lumber.

(e) *Class II consumer who received authorization in a previous quarter entitled to same authorization in subsequent quarters.* Any Class II consumer who was authorized to order and accept delivery of restricted hardwood lumber in any specific quarter and who needs the same or smaller amount of restricted hardwood lumber in any subsequent quarter for the same purpose is permitted to use the certificate described in paragraph (f) below to order such amount of restricted hardwood lumber from his supplier for delivery in the subsequent quarter. In using such certificate, a Class II consumer must insert in the space provided in the certificate the authorization number which he was permitted to use in the quarter in which he was granted authorization, and the amount of restricted hardwood lumber which he orders must not exceed his actual requirements for the quarter for which he places the orders. If such a Class II consumer needs more restricted hardwood lumber than he was permitted to order in the quarter in which authorization was granted or needs it for a purpose other than for which he was then permitted to receive it, he must apply under paragraph (d) above for the additional amount or for the new purpose.

(f) *Certificate required of consumers.* Any consumer (including a Class I consumer) who is authorized to receive restricted hardwood lumber must provide his lumber supplier with the following certificate which is in addition to the regular certificate required by Order L-335. This certificate must only be used by a consumer to obtain the amount of restricted hardwood lumber which he is specifically authorized by the War Production Board to receive.

I certify to the supplier and to the War Production Board that this order together with all other orders that I have placed for restricted hardwood lumber does not exceed the amount that I have been specifically authorized by the War Production Board to receive under Direction 6 to Order L-335. My "Authorization" number is -----

Consumer

By -----  
Duly authorized official

Date -----

(g) *Distributors extension of orders.* No distributor may place an order with a sawmill of the kind described in paragraph (a) above to get restricted hardwood lumber except where the restricted hardwood lumber is required for delivery on an order bearing one of the certificates shown in this direction or where the restricted hardwood lumber is required to replace lumber in inventory which the distributor has delivered on an order bearing such a certificate. In extending such an order the distributor shall use the following certificates:

I certify to the supplier and to the War Production Board that the quantity of restricted hardwood lumber covered by this order does not exceed the amount which I have sold on unextended orders certified un-



der Direction 6 to Order L-335. These unextended orders bear the following "authorization" numbers -----

-----  
Distributor  
By -----  
Duly authorized official  
Date -----

This certificate is in addition to the regular certificate required of distributors by Order L-335 and need only be used to get restricted hardwood lumber from sawmills of the kind described in paragraph (a) above.

(h) *Production of small sawmills excepted.* This direction does not apply to restricted hardwood lumber produced by sawmills smaller than the size sawmill referred to in paragraph (a) above. Consumers (including Class I consumers) and distributors may order and receive such lumber from these small sawmills without regard to the provisions of this direction or any restrictions on Form WPB-3640 or GA-2425 against the receipt of restricted hardwood lumber. However, such a small sawmill may not deliver lumber on an uncertified order unless permitted under paragraph (t) to Order L-335 or under Direction 7 to Order L-335.

(i) *Distributors' old inventory may be excepted.* If a distributor wishes to dispose of restricted hardwood lumber which he received before January 7, 1945 without requiring his customer to give him one of the certificates described in paragraphs (f) and (g) above, he may do so but he is not required to deliver any restricted hardwood lumber (even on a rated order) unless such a certificate is supplied by his customer. This applies also to restricted hardwood lumber which the distributor ordered from a sawmill before January 7, 1945, if it was placed in transit by the sawmill before January 7, 1945. The restrictions of this direction and any restrictions on Form WPB-3640 or GA-2425 against receipt of restricted hardwood lumber do not apply to restricted hardwood lumber that a consumer is able to get from this source.

(j) *Provisions of Order L-335 and other directions.* In the event there is any conflict between the provisions of this direction and the provisions of Order L-335 or any other direction, the provisions of this direction shall govern. However, nothing in this direction shall prevent a sawmill from delivering restricted hardwood lumber to a consumer or a distributor on an uncertified order or on an order bearing only the regular certificate described in paragraph (q) of Order L-335, or the receipt of such lumber by a consumer or a distributor when specific authorization for such delivery has been granted under the terms of paragraph (t) of Order L-335.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-11717; Filed, June 30, 1945;  
12:04 p. m.]

PART 1010—SUSPENSION ORDERS  
[Suspension Order S-250, Revocation]

CYRIL J. DILL

Suspension Order No. S-250 was issued March 9, 1943, effective March 12, 1943, against Cyril J. Dill, New Orleans, Louisiana, for violation of Conservation Order L-41. The Chief Compliance Commissioner has directed that Suspension Order No. S-250 be revoked forth-

with, in view of the fact the construction has been determined to be essential.

In view of the foregoing, it is hereby ordered, that: § 1010.250, *Suspension Order No. S-250* be revoked, effective June 30, 1945.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-11790; Filed, June 30, 1945;  
4:50 p. m.]

PART 1010—SUSPENSION ORDERS  
[Suspension Order S-752, Reinstatement]

CHARLES H. GIMPEL

Correction

In the document appearing on page 8105 of the issue for Tuesday, July 3, 1945, the Federal Register serial number should read "45-11727".

PART 1010—SUSPENSION ORDERS  
[Suspension Order S-833]

GARTNER PRINTING AND LITHOGRAPHING CO.

Gartner Printing and Lithographing Company is a corporation having a principal place of business located at 627-629 South San Pedro Street, Los Angeles, California. The business has been operated continuously by Mr. Harold H. Gartner, as sole owner, since 1925, and during the past two years the business has been largely devoted to the production of stationery and envelopes, as well as packet folders for stationery. Between on or about August 1, 1943 and on or about June 30, 1944, the company consumed approximately 7.7 tons of paper in the manufacture of packet folders and during the third quarter of 1944 the company consumed approximately 30 tons of paper in the production of envelopes and packet folders, all in violation of General Conservation Order M-241-a. The violations above mentioned were the result of negligence on the part of Mr. Gartner in not familiarizing himself with Order M-241-a, and, as a consequence, the company has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.833 *Suspension Order No. S-833.* (a) Gartner Printing and Lithographing Company, its successors or assigns, shall reduce its quota allowance of paper below the amount it would otherwise be entitled to consume under War Production Board orders and regulations, by the amount of 5 tons per quarter for 4 consecutive quarters commencing July 1, 1945.

(b) Nothing contained in this order shall be deemed to relieve Gartner Printing and Lithographing Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent to the provisions hereof.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-11894; Filed, July 2, 1945;  
4:57 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-752, Amdt. 1 to Reinstatement]

CHARLES H. GIMPEL

Correction

In the document appearing on page 8105 of the issue for Tuesday, July 3, 1945, the Federal Register serial number should read "45-11726".

PART 1010—SUSPENSION ORDERS

[Suspension Order S-835]

SPRINGFIELD UNION PUBLISHING CO. AND  
REPUBLICAN PUBLISHING CO.

Springfield Union Publishing Company and Republican Publishing Company, corporations doing business in Springfield, Massachusetts, collectively publish Springfield Republican, Springfield Daily News, Sunday Springfield Union-Springfield Republican, Weekly Republican, Springfield Union, and Springfield Evening Union in Springfield, Massachusetts. For the purposes of establishing a quota of print paper, all of these newspapers are editions of the same newspaper. During the first, third, and fourth quarters of 1943 and the first, third, and fourth quarters of 1944, Springfield Union Publishing Company and Republican Publishing Company used or caused to be used 1,009.45 tons of print paper in excess of the quota of print paper which they were permitted to consume during said quarters under the provisions of Limitation Order L-240 and in violation of that order.

This excessive use of paper has diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.835 *Suspension Order No. 835.* (a) Springfield Union Publishing Company and Republican Publishing Company shall reduce their consumption of print paper during the third and fourth quarters of 1945 and the first and second quarters of 1946 by 100 tons per quarter under the consumption quota they would otherwise be entitled to use in each of said quarters under the provisions of Order L-240, unless otherwise specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Springfield Union Publishing Company or Republican Publishing Company from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.



(c) The restrictions and prohibitions contained herein shall apply to Springfield-Union Publishing Company and the Republican Publishing Company, their successors or assigns, or persons acting on their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-11895; Filed, July 2, 1945;  
4:57 p. m.]

#### PART 3025—FLUID MILK SHIPPING CONTAINERS

[Conservation Order M-200, Revocation]

##### FLUID MILK SHIPPING CONTAINERS

Section 3025.1 *Conservation Order M-200* is hereby revoked. This revocation does not affect any liabilities incurred for violation of the order or of any actions taken by the War Production Board under the order. The manufacturer of fluid milk shipping containers remains subject to all other applicable regulations and orders of the War Production Board.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-11823; Filed, July 2, 1945;  
11:23 a. m.]

#### PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 4, Direction 4, as amended  
July 2, 1945]

##### WAREHOUSE STOCK ORDERS OF COPPER WIRE MILL WAREHOUSES

The following amended direction is issued pursuant to CMP Reg. 4:

(a) *Purpose.* This direction explains how copper wire mill warehouses, as defined in paragraph (c) (3) of CMP Regulation 4 may replace, establish, and increase their stocks.

(b) *Replacement of copper wire mill products delivered on authorized controlled material orders.* A warehouse may place "Warehouse Stock Replacement Orders" to replace copper wire mill products (equivalent copper content) previously delivered from warehouse stock on authorized controlled material orders (except "Z" orders) in accordance with CMP Regulation 4 and not previously ordered on "Warehouse Stock Replacement Orders" from producers or other warehouses. If the copper wire mill products were delivered on "Z" orders, the warehouse may replace these products under the same conditions by placing "Warehouse Deferred (ZW) Orders".

Such orders are valid only if marked "Warehouse Stock Replacement Order pursuant to Direction 4 to CMP Regulation 4" or "Warehouse Deferred (ZW) Order pursuant to Direction 4 to CMP Regulation 4". Attention is directed to paragraph (f) (3) of CMP Regulation 4 which provides for direct shipments by producers or other warehouses to fill specific authorized controlled material orders and which prohibits the replacement of such

deliveries under the provisions of this paragraph (b).

(c) *Unrated orders.* A warehouse may place unrated orders with controlled material producers or other warehouses. A warehouse desiring to increase its stock or to establish an initial stock may do so only by placing unrated orders. A warehouse need not replace all of its deliveries on authorized controlled material orders from stock by entering "Warehouse Stock Replacement Orders" as permitted under paragraph (b) above, but may do so, in part or in whole, by entering unrated orders. It should be noted that under the provisions of (f) (2) (i) of CMP Regulation 4, this will have the effect of increasing the amount which the warehouse will in the future be permitted to deliver on unrated orders received from its customers.

(d) *Treatment of warehouse orders by controlled material producers and other warehouses.* A controlled material producer must treat a "Warehouse Stock Replacement Order" as an authorized controlled material order and must treat a "Warehouse Deferred (ZW) Order" in accordance with Direction 54 to CMP Regulation 1. A controlled material producer must treat any other deferred warehouse order placed prior to July 1, 1945, as a "Warehouse Deferred (ZW) Order". A warehouse may, but is not required to, accept a "Warehouse Stock Replacement Order" or a "Warehouse Deferred (ZW) Order" received from another warehouse. If it accepts the order, it must treat it as a regular or "deferred" authorized controlled material order, as the case may be, under CMP Regulation 4. Unrated orders placed by a warehouse may be filled by a producer or other warehouse only in accordance with the provisions of CMP Regulations 1 and 4.

(e) *Reports.* Copper wire mill warehouses are no longer required to file Form 3009 except when specifically instructed to do so by the War Production Board.

(f) *Revocations.* All previous instructions and directions dealing with replacement, establishment, or increase of warehouse stocks are revoked.

(g) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 2d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-11892; Filed, July 2, 1945;  
4:57 p. m.]

#### PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, Direction 18]

##### LIMITED APPLICATION OF PRIORITIES REGULATION 29 AND MM RATINGS TO TEXTILES AND RELATED ITEMS

The following direction is issued pursuant to Conservation Order M-328:

(a) *What this direction does.* Priorities Regulation 29 describes the revised priorities system, including the new MM rating, which is to supersede the ratings in the AA series. However, as explained in paragraph (c) (5) of the regulation, the AA rating system may be retained for some items where it is not presently practicable to adapt existing controls to the new system. The AA system will be kept for the time being as applied to the items listed in Schedule A of Order M-328 (which are referred to in this direction as "textile and related items"). This direction limits the operation of Priorities Regulation 29 as applied to these items.

(b) *AA ratings retained for textile and related items.* Until further notice, the AA rating system will remain in effect for all textile and related items, and the MM rating may not be used for such items, except as stated in paragraph (c) below. The military agencies will continue to use AA ratings on prime contracts or purchase orders for such items, and the automatic rerating of 1946 military orders from AA ratings to MM under paragraph (f) of Priorities Regulation 29 will not apply to them.

(c) *Use of MM ratings by manufacturers of non-textile products containing textile and related items.* A manufacturer of a product not listed on Schedule A who is permitted by M-328 to use his customer's rating to get textile and related items, may extend his customer's MM rating for this purpose. When a supplier of textile or related items receives such an order, rated MM, he must treat it as if rated AA-1 unless otherwise provided. For example, a manufacturer of completed life rafts for the Navy on a contract rated MM may extend the MM rating on his order for cordage. The cordage supplier must treat this order as rated AA-1.

(d) *M-328 restrictions on ratings apply to MM ratings.* The restrictions on the use of ratings in order M-328 apply to the use of the MM ratings as well as ratings in the AA series.

(e) *How manufacturers of textile and related items get non-textiles for incorporation into their products.* A manufacturer of a textile or related item who needs priorities assistance in buying production materials or components which are not on Schedule A, will not be able to use AA ratings for this purpose except as permitted by Priorities Regulation 29. If necessary, further procedures may be announced later for giving such manufacturers priorities assistance under the new system.

Issued this 30th day of June 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-11788; Filed, June 30, 1945;  
4:50 p. m.]

#### PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, as Amended July 3, 1945]

§ 944.23 *Priorities Regulation 3—(a) Purpose of this regulation.* This regulation states the rules for the use of preference ratings, what kind of purchase orders or services may be rated and how a rating may be put on an order. It also places restrictions on the use of ratings and includes lists of products for which ratings may not be used at all or for which certain kinds of ratings may not be used. In general this regulation should be consulted before using a rating whether it was gotten directly from the War Production Board or from a customer.

(b) *Definitions.* For the purposes of this regulation:

(1) "Person" and "material" mean the same thing they do in Priorities Regulation 1.

(2) "Assignment" of a preference rating. A preference rating is assigned to a person when the War Production Board or someone that it has authorized issues an order or preference rating certificate giving him the right to use the rating.

(3) "Application" of a preference rating. A preference rating is applied when the person to whom it is assigned uses



the rating. A rating is applied also when any governmental agency which is authorized by the War Production Board rates an order for delivery of material directly to it.

(4) "Extension" of a preference rating. A preference rating is extended when it is used by the person to whom it is applied or extended by another person.

(c) *Use of ratings in general.* (1) When a regulation, preference rating order or preference rating certificate assigns a rating to any person, either by naming him or by describing the class of persons to which he belongs (as is done in the schedules to CMP Regulation 5), that person may apply the rating to get delivery of material or the performance of certain services. Also, a person may under certain conditions extend a rating which has been applied or extended to his deliveries of material, but not one applied to services. More detailed rules as to how and when ratings may be applied or extended are set out below in this regulation.

(2) When a War Production Board order or certificate states the quantities and kinds of material or the particular services which are rated, the person to whom it is assigned may use the rating to get only that quantity and kind of material or that particular service named in the order or certificate. If the quantities of material are not stated in the order or certificate assigning the rating it may be applied only to get the minimum amount needed.

(3) No person may place rated orders for more material than he is authorized to rate even though he intends to cancel some of the orders or reduce the quantity of material ordered to the authorized amount before it is all delivered.

(d) *When ratings may be extended for material.* The following provisions of this paragraph (d) apply to all extensions of preference ratings to get deliveries of material, unless they are modified by or are inconsistent with the provisions of any particular order.

(1) A manufacturer of Class B products under the Controlled Materials plan and a holder of Form WPB-2613 (formerly PD-870) may not extend his customers' ratings (except AAA) as explained in more detail in CMP Regulation 3 and in Priorities Regulation 11B.

(2) When a person has received a rated order for the delivery of material, he may extend the rating to get the material which he will deliver on that order, or which will be physically incorporated in material which he will deliver. If the material is to be processed, this includes the portion of it which would normally be consumed or converted into scrap or by-products in the course of processing.

(3) If a person has made delivery of material, or has incorporated it into other material which he has delivered on a rated order, he may extend the rating to replace it in his inventory. However, if after delivering the material he still has a practicable working minimum inventory he may not extend the rating to replace the material delivered; and

if by making the delivery his inventory is reduced below this minimum, the rating may be extended to get only the amount necessary to restore the inventory to a practicable working minimum.

Any material ordered to replace in inventory must be substantially the same as the material which the person delivered or incorporated in the material which he delivered, except for minor variations in size, shape or design.

(4) A person to whom a rating has been applied or extended to get material may not extend that rating to get containers or closures to pack the material except as permitted by any order in the Containers, Part 3270, Series (Orders P-140 and P-146 are the only ones that now permit the extension of such ratings). Nor may he extend such rating to get any material for his own plant improvement, expansion or construction, or to get machine tools or other items which he will carry as capital equipment, or to get business machines for his own use whether purchased or leased, or to get maintenance, repair or operating supplies for his own use. Other orders or regulations, such as CMP Regulation 5 and some orders in the "P" series, assign ratings which may be used by the proper persons to get maintenance, repair or operating supplies and minor capital additions.

(e) *Additional restrictions upon use of ratings for certain materials.* Because of special circumstances which exist with respect to certain materials and products, the use of preference ratings to get items on Lists A or B attached to this regulation is restricted as follows:

(1) *Items as to which preference ratings have no effect; List A.* Any item on List A may be produced or delivered without regard to preference ratings. No person shall apply or extend any rating to get any of these items and no person selling any such item shall require a rating as a condition of sale. Any rating purporting to be applied or extended to any such item shall be void and no person shall give any effect to it in filling an order.

(2) *Items to which blanket MRO ratings do not apply; List B.* Blanket MRO ratings may not be applied to get any item on List B, except as permitted by the list. A blanket MRO rating means a rating assigned by CMP Regulation 5 or 5A, or by any other War Production Board regulation, order (including an order in the "P" series), form or certificate which assigns a rating for maintenance, repair or operating supplies without specifying the kind and quantity of the material to which the rating may be applied. Where the quantity of material is specified in terms of dollar value only, the rating is a blanket MRO rating. No person shall give any effect to any rating applied to his deliveries of any item on List B if he knows or has reason to believe that it is a blanket MRO rating. Any blanket MRO rating applied to an order for any item on List B which was not delivered before the date the item was added to the list shall be deemed void. The restrictions of

this paragraph are not applicable when the blanket MRO rating is applied to get an item on the list for use on board ship, but in such a case the rating may not be extended by the person to whom it is applied.

(3) *Illustration.* A manufacturer of a product listed in Schedule II of CMP Regulation 5 is assigned a rating of AA-2 for operating supplies. He may not use the rating to buy wooden shelving for his own use since it is on List B. A contractor has received an order bearing a rating of AA-3 to install wooden shelving in an Army camp. He may extend that rating to get the wooden shelving from the manufacturer since in this case the shelving is production material as to him and not operating supplies. If, however, wooden shelving were on List A instead of List B, neither rating could be used.

(f) *Use of ratings for services—(1) Ratings may not be used for personal services.* Preference ratings may never be used to get labor or personal services as distinct from services performed in the course of a regular business involving the use of plant, machinery or equipment owned by the person furnishing the services. For example, ratings may be used to get a repair job done in a repair shop as explained below but may not be used to compel an individual employee to work on a repair job or to obtain the services of a consulting engineer.

(2) *Three cases where ratings may be used for services.* There are only three situations in which a preference rating may be used to get services, as distinct from the production or delivery of material:

(i) *A rating assigned for the purpose.* If the War Production Board assigns a rating to a named person to get specified services, he may use the rating for that purpose.

(ii) *For processing.* When a person has a rating which he may use to get processed material, he may (unless prohibited by another regulation or order) furnish the unprocessed material to a processor and use the same rating to get it processed.

(iii) *For repairs.* A blanket MRO rating may be applied by the person to whom it is assigned to get his plant, machinery or equipment repaired even if the repair job does not involve the delivery of repair parts or materials. See paragraph (e) (2) for definition of a blanket MRO rating. A rating assigned on Form WPB-541 (formerly PD-1A) or WPB-542 (formerly PD-3A), or any other rating which may be applied to the delivery of specific repair parts or materials, may also be applied to the installation of the repair parts or materials or to the repair job alone if it is found that installing the parts or materials is not necessary. However, in the case of ordinary plumbing, heating, electrical, automotive or refrigeration repairs, a rating may not be applied to repair work even if the rating is expressly applicable to repair parts or materials. As used in this subparagraph, "repair" means to fix a plant, machinery or equipment after it has broken down or when it is about to break down. "Repair" does not mean upkeep



or maintenance service such as periodic inspection, cleaning, painting, lubricating, etc.

(3) *Ratings for services only may not be extended.* A person to whom a rating for services, as distinct from the production or delivery of material, has been applied or extended may not extend the rating for any purpose.

(g) *How to apply or extend a rating.*

(1) When a person applies or extends a preference rating he must put the rating (and symbol, if appropriate) on the order together with a certification signed as prescribed in Priorities Regulation 7. He may use the standard certification set out in that regulation, or if he prefers the following:

#### CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this order, and that such application or extension is in accordance with Priorities Regulation 3 as amended, with the terms of which the undersigned is familiar.

-----  
(Name of Purchaser)

-----  
(Address)

By -----  
(Signature and Title of  
Duly Authorized Officer)

-----  
(Date)

The person who receives the certification shall be entitled to rely on it as a representation of the buyer unless he knows or has reason to know that it is false.

NOTE: (Subparagraphs (2) and (3) deleted April 25, 1944. They are superseded by paragraphs (o) and (p) of Priorities Regulation 7, which state the rules for placing rated orders orally or by telephone or telegraph.)

(4) When a person applies or extends a rating he shall also include on his purchase order or contract any information which may be required by any applicable War Production Board order. However, he is not required to include the serial number of the preference rating certificate assigning the rating.

(5) Each person who applies or extends a rating must keep at his regular place of business all documents including purchase orders and preference rating orders and certificates which authorize him to apply or extend the rating. These documents, orders and certificates must be kept in such a way that they can be readily segregated and furnished to representatives of the War Production Board for inspection.

(6) When either certification authorized in this paragraph (g) is used it will not be necessary to use any other certification in order to apply or extend a preference rating, nor will it be necessary to furnish a copy of any preference rating order no matter what any regulation, preference rating order or preference rating certificate says unless it expressly states that this regulation does not apply. This does not affect the requirements of Priorities Regulation No. 9 (§ 944.30) when ratings are applied to certain types of exports, in which case its terms control.

(7) No person shall knowingly purport to apply or extend a preference rating to any order unless he is entitled to do so. No person shall apply or extend a rating for material or services after he has received the material or after the services have been performed, and any person who receives such a rating shall not extend it.

(h) *Provisions applicable to extensions; deferment and grouping.* No matter what any applicable preference rating order or certificate may say,

(1) No person may extend any rating to replace inventory after three months have passed from the time he could have first extended it;

(2) When a person has two or more ratings of the same grade which were assigned by different preference rating certificates or orders he may combine them and extend them to one delivery; and

(3) When a person has two or more ratings of different grades, or where they were assigned by the same or different certificates or orders, he may extend them to deliveries under one purchase order. However, the purchase order must show the amount of each material to which a particular grade of rating is extended. If the type and quantity of the material is such that the supplier can readily determine the exact effect of the extension of the rating on his production and delivery schedule from percentage figures alone, then the purchase order may show the amount of the material to which the particular grade of rating is extended on a percentage basis; otherwise, it must be shown as a separate item. In order to avoid production or delivery of material in quantities smaller than the minimum commercially practicable a person may combine ratings of different grades and extend the rating of the lowest grade to the total production or delivery.

(i) *Restrictions in other orders.* When any person applies or extends a rating he shall be subject to any applicable rule or restriction which may be set forth in the order of the War Production Board which assigns the rating or any other order which regulates transactions in the material or the facilities for which he is using the rating. This includes restrictions as to the kind and amount of material to which ratings may be applied or extended, requirements for written approval of any particular transaction, restrictions on certain uses of material or facilities and any other rules which may be applicable to the particular transaction. However, the rules of paragraphs (g) (4) and (g) (6) apply unless some other order or certificate expressly says that they do not.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### LIST A

NOTE: List A amended July 3, 1945.

The following items may be delivered without regard to any War Production Board preference ratings:

Chemicals of the following types manufactured or produced for exclusive use in the

petroleum industry, as petroleum industry is defined in Preference Rating Order P-98-b:

a. Antioxidants (gum inhibitors) for motor fuels.

b. Chemical additives and compound bases for heavy duty gasoline engine, diesel engine and aviation engine oils.

c. Chemical additives and compound bases for hypoid gear oils.

d. Synthetic catalysts for oil cracking operation.

e. Synthetic catalysts for cumene and co-dimer manufacture.

f. Synthetic catalysts for petroleum isomerization operations.

g. Synthetic catalysts for petroleum sweetening operations.

Communications services.

Dental burs.

Electric energy.

Gas, manufactured combustible, of the type generally distributed by utilities.

Gas, natural.

Petroleum; restricted products as defined in Order M-201.

Silicon carbide settling tank and dust collector fines.

Steam heating, central.

Track-laying tractor repair parts.

Ice.

Tobaccos.<sup>1</sup>

Vegetable, fish, marine animal and animal fats and oils, whether edible or inedible and including their by-products and residues (whether resulting from refining, distillation, saponification, pressing or settling).<sup>1</sup>

Sulfated, sulfonated, and sulfurized fats and oils.<sup>1</sup>

Tall oil.<sup>1</sup>

Wool grease.<sup>1</sup>

Soap (other than metallic).<sup>1</sup>

Fatty acids.<sup>1</sup>

Food for human or animal consumption.<sup>1</sup>

Glycerine.<sup>1</sup>

Graphite crucibles.

Pig iron.

Alarm clocks.

Waste paper.

Water.

Containerboard, as defined in Order M-290.

Low and high temperature fractional distillation equipment for gas and gasoline analysis.

Roofing granules.

#### LIST B

NOTE: List B amended July 3, 1945.

Blanket MRO ratings, as defined in paragraph (e) (2), may not be used to obtain the items on this list. If a rating is needed to get a specified quantity of any product on the list, application may be made on Form WPB-541 (formerly PD-1A) or on any other form which may be designated for a particular product or for use by a particular person in a War Production Board order.

Adhesive tape backed with cellophane or similar transparent material derived from cellulose.

Animal traps.

Anti-freeze, all types.

Athletic and sport equipment.

Auger Bits, Type 1 as defined in Schedule VIII to Order L-157.

Automotive maintenance equipment as defined in Limitation Order L-270.

Automotive replacement batteries as defined in Limitation Order L-180.

Automotive replacement parts as defined in Limitation Order L-158.

Award emblems, badges, buttons and other similar award pins (not including identification badges).

Bicycles.

<sup>1</sup> Subject to War Food Order 71 (formerly FD Regulation No. 1) of the War Food Administration.



Blowers, portable electric hand, and industrial vacuum cleaners.

Can, jar and bottle capping, closing and sealing machinery and equipment (other than screw capping machines) having a retail sales value of \$25 or more, inclusive of motors.

Cast iron cooking utensils.

Cellophane and cellulose acetate film less than three one thousandths (0.003) of one inch thick.

Cellulose caps or bands of any gauge.

Chain, welded coil, sizes  $\frac{3}{16}$ " and under.

Chemicals listed in Direction No. 5 of this regulation. (See that direction for MRO ratings which may be used.)

Chinaware.

Civilian defense devices: any device, equipment, instrument, preparation or other material designed or adapted for use in connection with:

- a. Air raid warnings or detection of the presence of enemy aircraft; or
- b. Blackouts or dimouts; or
- c. The protection of civilians, either individually or collectively against enemy action or attack.

Clocks, watches and timers, including chronometers, chronographs and electrical timers, but excluding interval timers.

Clock and watch repair materials including mainsprings.<sup>2</sup>

Closures and closing devices required for packaging products to be shipped or delivered, as follows:

- a. Closures for glass containers
- b. Gummed stay and sealing tape paper and cloth.
- c. Paper and paperboard bottle caps, closures, and hoods.

Compressors, reciprocating type for compressing air, in any size smaller than 10 horsepower, of the tank mounted design sometimes referred to as the garage or service station type of compressors (new).

Containers, fabricated (in knock-down or set-up form, whether assembled or unassembled) required for packaging products to be shipped or delivered. For the purpose of this item the word "containers" shall not include shipping reels and skids, or any item which is specifically excluded from the following sub-items (such as "shell containers" in sub-item f.) It shall, however, include but is not limited to:

- a. Bags, all types and specialty envelopes (including those made of paper, textile, combinations of materials, transparent films, metallic foils, parchment, kraft or sulphite).
- b. Baskets and hampers
- c. Cans, as defined in Order M-81
- d. Collapsible tubes
- e. Cooperage, tight and slack
- f. Fibre cans, fibre tubes (except shell containers), fibre bottles, fibre mailing cases, and fibre drums.
- g. Folding and set-up boxes (paperboard)
- h. Gas cylinders (including only metal containers as described in Item 1 of Table 17 of Order M-293).
- i. Glass containers
- j. Ice cream cans (paperboard) and paraffin cans and pails.
- k. Paper cups and paper food containers, except as permitted by Order L-336.
- l. Paper milk containers.
- m. Steel shipping drums as defined in Order L-197
- n. Wooden and fibre inner containers
- o. Wooden and fibre shipping containers and parts, as defined in Order P-140.
- p. Metal strapping, as covered in Order P-152.

<sup>2</sup> It is not contemplated that any preference ratings will be assigned by the War Production Board on Form WPB-541 for clock and watch repair materials including mainsprings.

Corrugated and solid fiber sheets, not constituting "fibre shipping containers" as defined in Order P-146.

Cutlery, as defined in any order of the L-140 series.

Domestic and commercial electric fans.

Domestic electric ranges.

Drums, hard rubber.

Electrical appliances as defined in Order L-65.

Electric irons.

Electronic heating generators.

Electronic intercommunicating systems, including public address systems.

Enameled ware, as defined by Limitation Order L-30-b.

Fans (see "Industrial air circulators, new" and "Domestic and commercial electric fans").

Filing cabinets, wooden.

Fire protective equipment, including only:

- a. Fire pumps.
- b. Fire sprinkler systems.
- Flatware.
- Frying pans.
- Fuel.

Furniture for any use, except furniture specifically designed for schools.

Galvanized ware and non-metal coated metal articles as governed by Limitation Order L-30-a (except for funnels, oil and gasoline cans having a capacity of from 1 to 5 gallons, inclusive, and flexible spout measures).

Glass tableware.

Glass tumblers.

Incandescent photoflash lamps.

Industrial air circulators, new (The term includes any new propeller type fan designed for desk, pedestal, wall bracket, ceiling, or floor mounting, for circulating air within a room or space without the use of ducts, and powered by an electric motor drawing more than 200 watts. Such a fan is sometimes referred to as a "man-cooler" or a "restaurant fan". It does not include propeller type fans designed for exhausting air from inside a building or room to the outside, or for supplying air from the outside to the space within, and normally mounted in a window or over a door or in a wall.)

Kitchenware, heavy duty (except ratings applied by a food processor, which includes any person engaged in the business of preparing, processing, canning, packing or packaging human or animal foods for distribution. It does not include any person who prepares food for consumption on the premises (such as a hotel, restaurant, hospital or educational institution) or distributes it at retail (such as a grocery or retail meat market)):

- a. Bakery utensils;
- b. Butcher benches;
- c. Butcher blocks;
- d. Canopies or hoods;
- e. Carriers, food;
- f. Carriers, tray;
- g. Coffee mills and grinders;
- h. Counters, cafeteria, lunch and serving;
- i. Counter protectors;
- j. Cutters, french fry;
- k. Cutters, meat, bone and fish;
- l. Dispensers, milk and cream;
- m. Display racks;
- n. Dough dividers;
- o. Dough troughs;
- p. Knife sharpeners and grinders;
- q. Pans, cold;
- r. Potato mashers;
- s. Potato and vegetable parers or peelers;
- t. Racks, bread (bakery);
- u. Racks, dump (bakery);
- v. Racks, pans (bakery);
- w. Sandwich units;
- x. Slicers, meat and bread;
- y. Tables, bakers;
- z. Tables, cooks, chef, salad and work;
- aa. Tables, soiled and clean dish;

bb. Toaster stands;

cc. Tray stands;

dd. Trucks, food;

ee. Urn stands;

Insulation blowing machines complete (new only), and the following parts thereof:

- (a) Internal combustion engines, or electric motors.
- (b) Blowers.
- (c) Speed reduction units.

Kitchen household and miscellaneous articles governed by Limitation Order L-30-d.

Laboratory instruments and equipment, including parts thereof. (Except ratings assigned by Preference Rating Orders P-43, P-68, P-89 and P-98-b, and ratings assigned pursuant to Order P-56; but those ratings may not be used for items on List A of Order L-144.)

Lawn mowers, including power and gang mowers.

Lockers, wooden, for offices and factories.

Medical, surgical and dental equipment and supplies (except parts for the maintenance or repair of existing equipment) including:

- a. Anaesthesia and oxygen equipment and accessories;
- b. Atomizers;
- c. Clinical thermometers;
- d. Crutches;
- e. Dental consumable supplies;
- f. Dental equipment and appliances (except dental lathes);
- g. Diagnostic instruments and apparatus;
- h. Electric light bulbs for diagnostic instruments;
- i. Hearing aids;
- j. Hospital and medical rubber drug sundries, except surgeons' gloves when acquired in accordance with Order R-1
- k. Hospital enamelware and stainless steel ware;
- l. Hypodermic needles and syringes;
- m. Operating and examining room furniture;
- n. Operating and examining room lights;
- o. Ophthalmic goods.
- p. Orthopedic appliances including splints, belts and trusses;
- q. Physical therapy equipment and supplies;
- r. Sterilizers;
- s. Surgical dressings;
- t. Suture needles;
- u. Sutures;
- v. X-ray equipment and supplies, including X-ray tubes, X-ray valve tubes, X-ray developing hangers, X-ray timers, and similar supplies and accessories.

Medical, surgical and dental instruments.

Medicinal preparations, including vitamins.

Metal bathtubs

Monorail system and additions thereto, except one complete addition valued at less than \$200.00.

Pails and tubs, wooden, including wooden mop pails.

Paper and paperboard and products manufactured therefrom and molded pulp products; excluding carbon paper, tracing paper, reproduction paper, sensitized paper, engineering graph paper, chemically treated paper for engineering use, litmus paper and filter paper and paper tags.

Paper charts for recording instruments.

Pencils, mechanical.

Pencils, wood cased.

Pens, fountain.

Pen holders.

Pen nibs, steel.

Photographic film sensitized, as controlled by Order L-233.

Photographic papers, sensitized, except blueprint, whiteprint, ozalid, photostat, rectigraph and other line reproduction papers. (See Direction 24 to CMP Regulation 5.)



Pins, common and safety.

Printing and publishing:

a. Printed matter including items such as letterheads, envelopes, forms and printed and ruled stationery;

b. Processed printing plates;

c. Type metal, stereotyping metal and electrotape backing-metal;

d. Printing paper, paperboard and binders board;

e. Book cloth;

f. Blankbook and loose-leaf binders, metal parts and units;

g. Mechanical bindings.

Radio transmitters, receivers and transceivers.

Refrigeration and air conditioning systems and parts, except as permitted in Direction 10 to Priorities Regulation 3.

Screen cloth, metal insect.

Scales and balances

Softwood plywood, as defined in Limitation Order L-150-a.

Tire retreading, recapping and repair equipment, including full circle and sectional air bags.

Venetian blinds.

Wooden shelving.

Woodworking machinery, Class I, as defined in Order L-311.

#### INTERPRETATION 1

Interpretation 1 of Priorities Regulation 3 [Revoked Nov. 17, 1943.]

#### INTERPRETATION 2

##### EFFECT OF LISTS A AND B ON UNFILED ORDERS

The restrictions on the use of ratings for the items on Lists A and B apply to orders for such items which had been placed before the date the item was put on the list but were not yet filled. (Issued Nov. 17, 1943.)

#### INTERPRETATION 3

##### FIRE PROTECTIVE EQUIPMENT

The term "Fire protective equipment" on List B of Priorities Regulation 3 includes only the end items listed and does not include materials or parts required for the repair or maintenance of those items.

For example, fire pumps and fire sprinkler systems are listed and therefore may not be obtained on blanket MRO ratings, whereas a part required to repair a pump or sprinkler system may be obtained on blanket MRO ratings. Similarly, blanket MRO ratings may not be used to extend an existing sprinkler system, but such ratings may be used to repair or replace sprinkler heads which have been opened up by fire or damaged in any other way. (Issued Oct. 21, 1944.)

#### INTERPRETATION 4

##### CMPL-224 AND GA-1456 AUTHORIZATION

Reference is made in various War Production Orders to P-19-h orders or to orders in the P-19 series, and in some of these orders the delivery of material or equipment is not allowed, unless the material or equipment is rated under a P-19-h order or an order in the P-19 series. Order P-19-h has in a large measure been superseded by CMPL-224 authorizations and this last form has in turn been superseded by form GA-1456. Consequently any reference to a P-19-h order or to an order in the P-19 series is also reference to an authorization on form CMPL-224 or GA-1456, and if the delivery of an item is permitted under a P-19-h order or an order in the P-19 series it also may be delivered under a CMPL-224 or GA-1456 authorization. (Issued Apr. 23, 1945.)

#### INTERPRETATION 5

##### RESTRICTIONS OF OTHER ORDERS; "MASKING" TAPE

(a) *Restrictions of other orders on use of ratings or delivery.* The provisions of para-

graph (e) relate only to the items which appear on the lists. When any other order of the War Production Board restricts the use of preference ratings to obtain any product, or restricts delivery of a product in any way, those restrictions are applicable even though that product is not listed in Priorities Regulation 3 (§ 944.23). This rule specifically applies to the items which were on List C before the amendment of August 10, 1943.

(b) *"Masking" tape.* Blanket MRO ratings may be used to get industrial pressure sensitive adhesive tape (paper and cloth), also called "masking" tape. This type of tape is not included in "Gummed stay and sealing tape, paper and cloth."

This interpretation is not applicable to adhesive tape backed with cellophane or similar transparent materials derived from cellulose which may not be obtained with blanket MRO ratings. (Issued Dec. 18, 1943.)

#### INTERPRETATION 6

##### EFFECT OF PREFERENCE RATING CERTIFICATE REFERRING TO PRODUCT OF A PARTICULAR MANUFACTURER

(a) When a preference rating certificate in assigning a rating to a product describes the product by its trade name or by the manufacturer's name and catalogue number, the rating may ordinarily be used to get the product from any manufacturer if the model actually obtained is substantially identical in size, operation and function with that named in the certificate.

(b) The rule stated in the preceding paragraph is consistent with the statement in paragraph (c) (2) of Priorities Regulation 3 (§ 944.23), that a preference rating may be applied only to the specific quantities and kinds of material authorized. Ordinarily a reference in a preference rating certificate to a particular product of a particular manufacturer is no more than a shorthand way of describing the product. It is safe to assume, unless the certificate clearly states otherwise, that what is being rated is a certain kind and size of product which may be obtained from any manufacturer who makes that kind and size. If it is intended to confine the rating to a particular product of a particular manufacturer, the certificate should say so explicitly (Issued Sept. 8, 1943.)

#### INTERPRETATION 7

##### LIMITATIONS ON THE RIGHT TO USE RATINGS TO GET MATERIALS PROCESSED

(a) *What this interpretation covers.* This interpretation explains the limitations on the use of a preference rating assigned to the delivery of a material to get material processed under paragraph (f) (2) (ii) of the regulation.

(b) *Controlled materials.* Preference ratings cannot be used to buy controlled materials (steel, copper, and aluminum in controlled material form) from a producer or warehouse and consequently no rating may be used to get material processed into a controlled material by a producer or warehouse. There is one exception to this general rule which is covered by paragraph (d-1) of CMP Regulation No. 8, which assigns a preference rating to steel producers for use in getting steel processed into a controlled material form.

(c) *Class B products.* Paragraph (g) (3) of CMP Regulation No 1 prohibits allotments of controlled materials to B product manufacturers except by the War Production Board and, as explained in Interpretation No. 16 to CMP Regulation No 1, also prohibits a customer from furnishing controlled materials to a B product manufacturer. A special exception to this general rule is provided in Direction 36 to CMP Regulation No. 1. In all cases not covered by the exception, it is

improper for a person to furnish controlled materials to a B product manufacturer for processing and consequently no preference rating can be used to get such processing done. In this connection, attention is called to the fact that all products, whether Class A products or Class B products, which are bought for use as maintenance, repair, or operating supplies are treated as though they were Class B products. This is covered by paragraph (k-1) (2) of CMP Regulation No. 1. As pointed out in Interpretation No. 13 to CMP Regulation No. 1, a Class A repair part is handled on a Class B basis and therefore paragraph (g) (3) of the regulation is applicable.

(d) *Ratings not to interfere with authorized controlled material orders.* While a person who has been assigned a rating to get material may use the rating to get the use of the facilities of a controlled materials producer to have the material processed (if the material, when processed, is not a controlled material) rated orders for the use of a controlled materials producer's facilities must not interfere with the acceptance, production, or delivery of orders which he is permitted to fill under paragraph (t) (3) of CMP Regulation No. 1. Attention is called to Interpretation No. 4 to Priorities Regulation No. 1 on this subject. (Issued Nov. 18, 1943.)

#### INTERPRETATION 8

##### ELECTRONIC INTERCOMMUNICATING SYSTEMS

List B of Priorities Regulation 3 (§ 944.23) forbids the use of blanket MRO ratings to obtain electronic intercommunicating systems. This restriction applies only to getting systems not yet installed. Therefore, blanket MRO ratings may be used to obtain repair parts and materials for existing intercommunicating systems. Also, those blanket MRO ratings which may be used for minor capital additions, may within prescribed dollar limits be used to add stations to an existing intercommunicating system to bring it to its designed capacity. Thus, if an intercommunicating system is designed for 16 stations, with only 12 stations originally installed, four stations may be added by the use of blanket MRO ratings. However, an expansion beyond the 16 stations, or any enlargement of or an extension beyond the designed capacity, may not be obtained by use of blanket MRO ratings. (Issued Feb. 27, 1945.)

#### INTERPRETATION 9

##### CERTAIN MRO RATINGS ASSIGNED UNDER P-98-b ARE NOT BLANKET MRO RATINGS

Paragraph (e) (2) of Priorities Regulation 3 prohibits the use of a "blanket MRO rating" to get any item on List B. See that paragraph for a definition of a "blanket MRO rating". Some of the items which are on List B also appear on Schedule B of Preference Rating Order P-98-b. That schedule provides a way to get a rating for the items which appear on it so that such P-98-b ratings will not be "blanket MRO ratings". These ratings are assigned to specific purchase orders for a specific kind and quantity of the material desired.

Therefore, when a rating assigned pursuant to Schedule B of P-98-b (as evidenced by the symbol MRO-P-3) is applied to a purchase order for any item which is set out on Schedule B of that order that rating is valid, despite the fact the item is also on List B of Priorities Regulation 3.

The order does not require the purchaser to furnish a copy of his approved purchase order to the supplier, and the supplier should give effect to the rating and certification unless he knows or has reason to believe that the purchase order has not been rated as provided in Schedule B of Order P-98-b. (Issued Jan. 24, 1944.)



## INTERPRETATION 10

## USE OF RATING TO OBTAIN LEASED MACHINERY

(a) A preference rating which has been assigned for the delivery of an item of machinery or equipment may be used to lease the equipment as long as the following conditions are fulfilled:

(1) The lease must be a long-term semi-permanent arrangement where both parties contemplate the comparatively permanent installation of the machine or equipment. For instance, a rating could be used to obtain a machine under lease where the lease was for one year, with provision for renewal at the end of each year, and both parties expected that the lease would be renewed from time to time. However, the rating could not be used to obtain a machine for a month's use.

(2) If the rating is limited by specific dollar amount, it may be used only to lease machinery or equipment whose fair market value is no greater than the amount specified. For example, CMP Regulation No. 5 assigns a rating for the purchase of minor capital additions not exceeding \$500. This rating can be used to lease a machine if its fair market value is not more than \$500.

(b) If the instrument assigning the ratings specifies a lease rather than a purchase, it is not necessary to comply with the above conditions. (Issued April 25, 1944.)

## INTERPRETATION 11

## IDENTIFICATION OF BLANKET MRO RATINGS

Generally speaking, ratings accompanied by the symbol "MRO" are blanket MRO ratings when they are applied to get an item on List B of Priorities Regulation 3. Therefore, any person receiving an order for a List B item bearing a rating accompanied by the symbol "MRO" must assume that the rating is a blanket MRO rating and give it no effect, unless the person who applied or extended it demonstrates (1) that it is not a blanket MRO rating or (2) that it is an extension of a blanket MRO rating applied on an order which was filled before the item was added to List B. (See paragraph (e) (2) of Priorities Regulation 3 for definition of "blanket MRO rating.")

It should not be assumed, however, that all blanket MRO ratings are accompanied by the "MRO" symbol. Several "P" and "U" Orders assign blanket MRO ratings which are accompanied by symbols other than "MRO." For example, a blanket MRO rating is assigned by Preference Rating Order P-68, but the symbol accompanying the rating is "S 8".

The question has been raised whether the War Production Board assigns the symbol "MRO" in connection with the assignment of a rating on Form WPB-541 (PD-1A) for a List B item. The answer to this question is "No." Therefore, no rating which was assigned on Form WPB-541 for a List B item could properly be accompanied by the "MRO" symbol. (Issued April 25, 1944.)

## INTERPRETATION 12

## RECORDS OF EXPORTERS

Paragraph (g) (5) of Priorities Regulation No. 3 requires each person who applies or extends a rating to keep all documents including preference rating orders and certificates which authorize him to apply or extend the rating at his regular place of business. The Foreign Economic Administration and its predecessors, the Board of Economic Warfare and the Office of Economic Warfare, have assigned preference ratings to exporters for export by endorsing appropriate legends upon export licenses. The original of every export license, however, is required by other government regulations to be surrendered to export officials at the time of shipment. Consequently, persons who receive their assignments of preference ratings on export li-

censes are not in a position to retain the original of the export license and thus are not required to do so by paragraph (g) (5) except only in those cases where other government regulations do not require the surrender to the government of the documents referred to. (Issued April 25, 1944.)

## INTERPRETATION 13

## TIME LIMIT ON USE OF RATINGS

Preference ratings may not be extended to replace material in inventory after three months from the time delivery was made to the customer. This is the rule of paragraph (b) (1) of the regulation.

When a rating is being applied (except a blanket rating such as one assigned by CMP Regulation 5) or when any rating is extended for some purpose other than to replace inventory, this may be done only within a reasonable time after the rating was received. Generally speaking, more than three months is deemed to be an unreasonable delay in the use of a rating. In a particular case there may be circumstances which make a reasonable time shorter or longer than three months. For example,

(1) A rating assigned to a construction project on a form which says when the rating expires (such as GA-1456 or CMPL 593) may be applied for material going into the project until the expiration date stated, even though more than three months may have elapsed.

(2) A rating assigned in connection with an export license may be applied as long as the license is valid and expires when the license expires or is revoked. (For explanation of this rule see Interpretation 2, Directive 27.)

(3) When a rating is applied to a long term contract (such as the construction of a ship), it may be extended for material needed to fill the contract, even though more than three months have elapsed.

(4) If the purpose for which the rating was assigned no longer exists, the rating may not be applied even though three months have not elapsed.

(5) When a rating is extended by a person to get material to deliver to his customer, or to incorporate in such material, the time within which it may be done will, in general, be controlled by the delivery date on his customer's order.

The fact that a person has not been able to get his rated order accepted by a supplier does not lengthen the time within which he may use his rating. (Issued June 23, 1944.)

## INTERPRETATION 14: Revoked Apr. 23, 1945.

[F. R. Doc. 45-11940; Filed, July 3, 1945; 11:31 a. m.]

## PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, Interpretation 15, as Amended July 3, 1945]

## REFERENCES IN LISTS A AND B TO ORDERS WHICH HAVE BEEN REVOKED

The following interpretation is issued with respect to Priorities Regulation 3:

In many items on Lists A and B of Priorities Regulation 3 reference is made to specific WPB orders or schedules for a definition of the specific items covered by the lists. Sometimes the order or schedule referred to is revoked without any change in the listing on List A or B. When one of these orders or schedules is revoked, the listing of the item on List A or B, nevertheless, remains in full force and effect, and the item as listed on List A or B has the same meaning as before the revocation of the order.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-11941; Filed, July 3, 1945; 11:34 a. m.]

## PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 28]

## RESTRICTED PRIORITIES ASSISTANCE FOR CIVILIAN PRODUCTION

(a) *What this regulation does.* As a result of military cutbacks following victory in Europe, the supply of materials available for civilian production without priorities assistance is expected to increase progressively over the next several months. For this reason the WPB has announced the policy of discontinuing as soon as practicable the granting of priorities assistance for civilian production. This regulation explains the application of this policy to production in the United States and Canada of all products, whether or not they are controlled by L or M orders. It applies only to priorities assistance for production materials. WPB's policy as to construction, machinery, and capital equipment and maintenance, repair, and operating supplies is explained in other orders and regulations.

(b) *"General" priorities assistance for selected programs only.* (1) During the two-front war, the WPB has given "general" priorities assistance for production of selected non-military products at the minimum level required for essential civilian use. "General" assistance includes an allotment of controlled materials where required and a preference rating of AA-3 or higher for substantially all other production materials. Program levels which have been established for the third quarter of 1945 are generally no higher than previous levels authorized during the two-front war and any program that may be established for the fourth quarter will generally be no higher than third quarter levels.

(2) The WPB will not grant "general" priorities assistance for production materials for the manufacture of civilian products which, prior to May 1, 1945, were completely forbidden by L or M orders, and were produced, if at all, only on appeals or spot authorizations. The only specific exceptions which have been made to this policy are for limited amounts of refrigerators, washing machines and commercial aircraft which have been in particularly critical short supply.

(3) In the case of those items for the production of which "general" priorities assistance has already been given for the third quarter, no further "general" priorities assistance will ordinarily be given to individual manufacturers beyond the third quarter level for additional production or for new production except under the following conditions:

(i) A particular L or M order may provide for increased production of the product controlled by the order during



the third or fourth quarter. In such a case, the order will describe who is eligible to apply the time for filing, and the applicable form.

(ii) Where manufacturers of a particular product are being given "general" priorities assistance as described above, the War Production Board will, insofar as the limits of available materials permit, give equitable treatment to newcomers or to former manufacturers of the product as well as to any manufacturer of the item who has been producing it with "general" priorities assistance but below his normal minimum rate because of military orders for other products in his plant and the military orders have been cancelled or reduced.

(iii) Increased assistance may be granted if a manufacturer needs it in order to meet military requirements for his product which he did not contemplate at the time he filed his application for third quarter assistance.

(c) *Priorities assistance in other cases generally unavailable.* Beyond the limits stated above, the policy of the WPB is not to give any priority assistance for production materials except to meet military requirements or in very exceptional cases. In such exceptional cases, limited assistance may be given in the form of a rating, or allotment, which will be applicable only to specified quantities of particular materials. Applications for this assistance will under no circumstances be favorably considered unless the WPB finds: that failure to grant the assistance would cause serious and exceptional hardship, and then only if it is satisfied that the applicant can not get the minimum delivery he needs without priorities assistance, and that giving assistance will not in any way interfere with war or war supporting requirements.

It is obvious that there would be interference with war or war-supporting requirements in a grant of assistance to a whole industry, or to individual manufacturers, for any material which is in such short supply that delivery can be made only to high rated orders, or where the requested assistance would preempt an undue proportion of limited amounts available. The applicant must give on his application the names and addresses of at least two suppliers from whom he has tried to get delivery without priorities assistance and a statement of their reasons for rejecting his orders. Applications for this assistance should be made by filing Form WPB-541 together with WPB-541A with your local WPB office.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-11942; Filed, July 3, 1945;  
11:35 a. m.]

#### PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-240, as Amended July 3, 1945]

##### NEWSPAPERS

The fulfillment of requirements for the defense of the United States has created

a shortage of the supply of print paper for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

##### Scope

- (a) The purpose of this order.

##### Definitions and Explanations

- (b) Newspaper.
- (c) Camp papers and free distribution publications.
- (d) Publisher.
- (e) Print paper.
- (f) Use.
- (g) Net paid circulation.
- (h) Inventory.
- (i) Transfer of quotas.

##### Consumption Quota

- (j) Allowable consumption.
- (k) Computation of consumption quota.
- (l) Carry-over.
- (m) Consumption quotas for certain types of newspapers.
- (n) Allotment to Army and Navy.

##### Delivery Quota

- (o) Computation of delivery quota.
- (p) Exceptions.
- (q) Certification.
- (r) Inventory reports and copies of orders.
- (s) Inter-company transfers.

##### Miscellaneous Provisions

- (t) Loans of print paper.
- (u) Applicability of regulations.
- (v) Appeals.
- (w) Communications to the War Production Board.
- (x) Violations.

##### Scope

§ 3133.6 *Limitation Order L-240—(a) The purpose of this order.* This order does two things: First, it limits the tonnage of print paper which may be used by a publisher in printing a newspaper. This is called his "consumption quota". Second, it limits the tonnage of print paper which may be ordered or accepted by a newspaper publisher. This is called his "delivery quota". A publisher's consumption quota is on a quarterly basis and his delivery quota is on a monthly basis.

##### Definitions and Explanations

(b) *Newspaper.* "Newspaper" means any publication generally recognized as a newspaper in the newspaper industry, regardless of the frequency of issuance. The term includes all supplements, inserts and other printed matter physically incorporated into a newspaper or delivered together with it.

Where two or more newspapers are published by the same publisher, whether in the same city or in different cities, each newspaper shall operate under a separate consumption quota and a separate delivery quota. In computing his consumption quota a publisher must make separate calculations for morning, evening and Sunday editions, but these figures must be consolidated into a single consumption quota for each newspaper, in accordance with the instructions contained in paragraph (k).

However, morning, evening, Sunday and other editions of the same newspaper shall operate under a single consumption quota and a single delivery quota.

In determining whether a publisher issues separate newspapers or separate editions of the same newspaper, the number and form of the reports filed by the publisher with the Audit Bureau of Circulations in 1941 will be controlling, in the absence of special circumstances. Thus, if a publisher in 1941 filed consolidated statements with the Audit Bureau of Circulations covering morning, evening and Sunday issues, even if these issues had different names, different formats and different staffs, they will ordinarily be considered as a single newspaper for the purposes of this order. If a publisher in 1941 filed separate statements with the Audit Bureau of Circulations covering his morning, evening, Sunday and other publications, they will ordinarily be considered as separate newspapers for the purposes of this order.

If a publisher is uncertain as to whether or not his publication is a newspaper as defined in this order, he may ask the War Production Board for an official determination. The War Production Board may also make this determination upon its own motion. Such a determination, issued to the publisher in the name of the Recording Secretary of the War Production Board, shall be conclusive for the purposes of this order, unless revoked or modified by the same authority.

(c) *Camp papers and free distribution publications.* Army or Navy camp, post, station or unit "newspapers" or news sheets generally are not recognized as newspapers in the newspaper industry. They are covered by Order L-241 (commercial printing). Shopping guides, want ad periodicals and publications in newspaper format distributed free or at nominal cost also are not recognized as newspapers within the meaning of this order and are governed by Order L-241, Schedule II. If a publisher issued a free distribution newspaper in 1941, his consumption quota shall be determined in accordance with Schedule II to Order L-241 and that order shall govern even if the circulation of the publication has subsequently been changed in whole or in part to a net paid basis.

(d) *Publisher.* "Publisher" means a person who publishes a newspaper, including an individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(e) *Print paper.* "Print paper" means any grade, quality, type or basis weight of paper used in publishing a newspaper. The term includes paper reclaimed wholly or partly from printed or unprinted waste, as well as paper



made entirely from virgin fiber. It also includes roll wrappers, newsprint used as wrappers, identification sheets and labels for newspapers, and production waste, whether or not this waste is subsequently salvaged for other uses.

(f) *Use.* All production waste shall be included in the tonnage of print paper "used" in printing a newspaper. Transit damage shall not be included in a publisher's "use" of print paper. A publisher may determine the dates on which paper is "used" under this order either on the basis of the dates when the paper is actually printed or the dates appearing on the respective issues of the newspaper, provided he continues to use the same method which he used in computing his 1941 base tonnages.

(g) *Net paid circulation.* "Net paid circulation" means the number of copies of a newspaper which have been sold (exclusive of bulk sales), as audited by the Audit Bureau of Circulations or (in the case of newspapers which are not members of the Audit Bureau of Circulations) as verified in accordance with the standards of the Audit Bureau of Circulations of January 1, 1942.

(h) *Inventory.* "Inventory" means all the print paper which is owned by a publisher or is available for his use. It includes the print paper which he has on hand, in storage, and in transit and paper held for his use by a paper merchant, warehouseman or other person, regardless of its physical location. However, it does not include print paper shipped by water and held in warehouse by a paper manufacturer or merchant as part of the inventory of the manufacturer or merchant; such paper does not become part of a publisher's inventory until it is delivered to him.

(i) *Transfer of quotas.*—(1) *Quotas established by different orders.* Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a publisher may not use for the printing of a newspaper any part of a consumption quota established under Orders L-241 (commercial printing), L-244 (magazines) or L-245 (books) and he may not permit any part of his consumption quota established under this order to be used for commercial printing, magazines or books. If a newspaper publisher also conducts a job printing business, he must keep these two operations separate for quota purposes. The amount of print paper which he is permitted to consume and the amount which he is permitted to order or accept for the publication of his newspaper is limited by this order. The amount of print paper which he is permitted to consume and the amount which he is permitted to accept for his commercial printing business is limited by Order L-241.

(2) *Transfer of quotas to different persons.* The rules governing the assignability of quotas are set forth in Priorities Regulation 7a.

#### Consumption Quota

(j) *Allowable consumption.* In the third quarter of 1945 and in each calendar quarter after that, no publisher may use or cause to be used, in the publica-

tion of a newspaper, print paper in excess of:

(1) His quarterly consumption quota, which shall be computed in accordance with the instructions set forth in paragraph (k) or (m) plus

(2) Any less-than-quota savings carried over from previous calendar quarters, as provided in paragraph (l), plus

(3) Ex-quota tonnage, if any, which may have been granted on appeal for consumption in that quarter.

(k) *Computation of consumption quota.*—(1) *Base tonnages.* Ascertain, separately, the tonnage of print paper comprising the net paid circulation of morning, evening, Sunday or other issues of the newspaper in the corresponding quarter of 1941. Add 3 per cent to each figure. (This 3 per cent is an arbitrary allowance to compensate for production waste and should be added whether the actual production waste in 1941 was greater or less than 3 per cent). These are the "base tonnages" for morning, evening, Sunday or other issues of the newspaper, which shall be adjusted in accordance with instructions 2, 3, and 4.

(2) *Circulation increase.* Ascertain, separately, the percentage increase or decrease in average net paid circulation of morning, evening, Sunday or other issues of the newspaper in the calendar year 1942 as compared with the calendar year 1941. (The average net paid circulation for each year shall be determined by adding together the average net paid circulation for each of the four quarters of the year and dividing by four).

(3) *Tonnage equivalent of circulation increase.* Apply, separately, the respective percentages of circulation increase or decrease determined under instruction number 2 to the respective base tonnages determined under instruction number 1 for morning, evening, Sunday or other issues of the newspaper.

(4) *Adjustment of base tonnages.* Adjust the respective base tonnages determined under instruction number 1 by adding or subtracting the number of tons represented by the percentage circulation gain or loss determined under instruction number 3.

(5) *Total adjusted base tonnage.* Total the respective base tonnages for morning, evening, Sunday or other issues of the newspaper determined under instruction number 1. Total the respective adjusted base tonnages for morning, evening, Sunday, or other issues of the newspaper determined under instruction number 4. The larger of these two totals is the publisher's "total adjusted base tonnage" from which the required reductions shall be applied.

(6) *Sliding scale of reductions.* Reduce the total adjusted base tonnage by the following sliding scale of percentage cuts:

(i) Deduct 3% of the amount over 25 tons but not over 125 tons.

(ii) Deduct 6% of the amount over 125 tons but not over 250 tons.

(iii) Deduct 9% of the amount over 250 tons but not over 500 tons.

(iv) Deduct 15% of the amount over 500 tons but not over 1000 tons.

(v) Deduct 18% of the amount over 1000 tons.

(7) *Consumption quota.* The balance remaining after subtraction of the above reductions from the total adjusted base tonnage determined under instruction number 5 is the publisher's consumption quota for the quarter.

(8) *Adjustment for print paper lighter than 32-pound basis weight.* If a publisher orders print paper lighter than 32-pound basis weight, his consumption quota for the current calendar quarter shall be reduced proportionately as follows: First, determine the percentage by which 32-pound paper exceeds such lighter paper in weight. Second, multiply the tonnage of lighter paper so ordered by this percentage. Third, subtract the result from the publisher's consumption quota. For example, if a publisher has a consumption quota of 200 tons and orders 100 tons of 30-pound basis weight paper, his consumption quota shall be reduced by 6 $\frac{2}{3}$  tons, since 32-pound paper is 6 $\frac{2}{3}$ % heavier than 30-pound paper.

(9) *Fourteenth Sunday in third quarter of 1945.* Inasmuch as there are 14 Sundays and 78 weekdays in the third quarter of 1945, compared with 13 Sundays and 79 weekdays in the third quarter of 1941 and 1944, the publisher of a daily and Sunday newspaper may increase his consumption quota in the third quarter of 1945 by the excess of his average Sunday use of print paper in the third quarter of 1944 over his average weekday use of print paper in the third quarter of 1944. The publisher of a newspaper issued only on Sundays may increase his consumption quota in the third quarter of 1945 by one-thirteenth of his allowable use of print paper in the third quarter of 1944. No publisher may increase his delivery quota because of any additional tonnage he may use for the fourteenth Sunday in the third quarter of 1945.

(l) *Carry-over.* If a publisher uses less print paper than he is permitted to use in the fourth quarter of 1943, or in any calendar quarter after that, he may add this tonnage to his consumption quota but not to his delivery quota, in any succeeding quarter. This paragraph does not apply to the print paper which a publisher is permitted to use under paragraph (m) (2).

(m) *Consumption quotas for certain types of newspapers.* Excepted from the provisions of paragraph (k) are certain types of newspapers described in this paragraph (m), whose consumption quotas shall be computed as follows:

(1) *Special types of newspapers.* Any newspaper containing the equivalent of 8 standard-size pages or less which is authorized to be admitted to the mails as second-class matter under the provisions of section 521 of the Postal Laws and Regulations of 1940 (Title 39, U. S. C., sec. 229) pertaining to the publications of benevolent, fraternal, trades-union, professional, literary, historical, and scientific organizations and societies shall have a consumption quota of print paper in any calendar quarter equal to either:



(i) Its quarterly consumption of print paper in any one of the first three calendar quarters of 1944; or

(ii) Its consumption of print paper in the corresponding calendar quarter of 1943. If the publisher selects this latter method in any calendar quarter, he may increase his consumption quota in that quarter by that percentage by which the average number of copies per issue in the third quarter of 1944 exceeds the average number of copies per issue in the corresponding calendar quarter of 1943. For example, if a newspaper's consumption of print paper in the first quarter of 1943 was 5 tons with an average press-run in that quarter of 5,000 copies per issue, and its average press-run in the third quarter of 1944 was 6,250 copies per issue, his consumption quota for the first calendar quarter of 1945 is  $6\frac{1}{4}$  tons.

(2) *Small newspapers.* During the third calendar quarter of 1945 and in each calendar quarter after that, any person may use or cause to be used 5 tons of print paper for a newspaper published weekly or less frequently,  $6\frac{1}{4}$  tons of print paper for a newspaper published semi-weekly,  $7\frac{1}{2}$  tons of print paper for a newspaper published tri-weekly,  $8\frac{3}{4}$  tons of print paper for a newspaper published four times a week, 10 tons of print paper for a newspaper published 5 times a week,  $11\frac{1}{4}$  tons of print paper for a newspaper published 6 times a week, or  $12\frac{1}{2}$  tons of print paper for a newspaper published 7 times a week. It makes no difference whether he used that much print paper or any print paper in the publication of a newspaper during any previous period.

(3) *Other newspapers using less than 25 tons per quarter.* If, prior to October 1, 1944, a publisher used less than 25 tons of print paper per calendar quarter for civilian readers (whether or not he used additional paper for military readers), his total quarterly consumption quota for all types of readers shall be computed as follows:

(i) Ascertain the total number of copies of all issues printed in each of the seven calendar quarters between January 1, 1943 and September 30, 1944.

(ii) Ascertain the average number of pages per issue printed in each of the seven calendar quarters between January 1, 1943 and September 30, 1944.

(iii) Multiply the highest quarterly figure determined under subdivision (i) by the highest quarterly figure determined under subdivision (ii). The weight of paper required to produce this number of pages is the publisher's quarterly consumption quota; *Provided, however,* That if this figure is in excess of 25 tons, the publisher shall be limited to 25 tons per quarter plus the tonnage in excess of 25 tons which he used for military circulation in the third quarter of 1944.

(n) *Allotment to Army and Navy.*

(1) The War Production Board may from time to time allot to the Army and the Navy a specified tonnage of paper to be consumed in printing (i) newspapers

acquired in bulk for free distribution by the Army or the Navy which will be furnished to United States Armed Forces personnel in the continental United States and (ii) "servicemen's" "overseas", "pony", or other condensed editions of newspapers acquired in bulk by the Army or the Navy which will be furnished to United States Armed Forces personnel overseas.

(2) From this allotment the Army and the Navy, under a delegation of authority from the War Production Board, may grant to individual publishers the right to add to their consumption quotas the tonnage of paper consumed in printing such newspapers acquired by the Army and the Navy for distribution as described under paragraph (n) (1). This allotment does not cover purchases of newspapers by military exchanges or service departments as defined in Priorities Regulation 17 for distribution within the continental limits of the United States. All newspapers sold to the military shall be charged against the publisher's consumption quota unless the publisher has received a specific grant from the Army or the Navy pursuant to this paragraph.

#### Delivery Quota

(o) *Computation of delivery quota.* In July 1945, and in each calendar month after that, no publisher may order or accept delivery of print paper in excess of his monthly delivery quota, which shall be computed in accordance with the following instructions:

(1) *Monthly base.* Total the publisher's consumption quotas for the third and fourth quarters of 1945 and add the ex-quota tonnage, if any, which may have been granted for the third quarter of 1945. Divide by 6. (Do not add any carry-over from preceding quarters.)

(2) *Inventory ceiling.* The above amount shall be reduced accordingly if a publisher's inventory is, or by virtue of such order or acceptance will become, on December 31, 1945, greater than: (i) 30 days' supply for publishers in the states named in List A, (ii) 50 days' supply for publishers in the States named in List B, or (iii) 60 tons for publishers who would be limited to a smaller amount by subdivision (i) or (ii) above.

#### List A

Connecticut.	Nebraska.
District of Columbia.	New Hampshire.
Delaware.	New Jersey.
Illinois.	New York.
Indiana.	North Dakota.
Iowa.	Ohio.
Kansas.	Pennsylvania.
Kentucky.	Rhode Island.
Maine.	South Dakota.
Maryland.	Vermont.
Massachusetts.	Virginia.
Michigan.	West Virginia.
Minnesota.	Wisconsin.
Missouri.	

#### List B

Alabama.	Nevada.
Arizona.	New Mexico.
Arkansas.	North Carolina.
California.	Oklahoma.
Colorado.	Oregon.
Florida.	South Carolina.
Georgia.	Tennessee.
Idaho.	Texas.
Louisiana.	Utah.
Montana.	Washington.
Mississippi.	Wyoming.

(3) *Exclusions.* In computing his delivery quota, a publisher shall exclude any less-than-quota savings under his consumption quota carried over from previous quarters. He shall also exclude print paper which he has received by Great Lakes or coastal water-borne shipments; provided on May 1 of any calendar year he shall have on hand or available for use not more than (i) a 30 days' supply if he is located in one of the States named on List A above, or (ii) a 50 days' supply if he is located in one of the States named in List B above and provided further that no publisher may order or accept delivery of a total amount of print paper by water, rail or otherwise in any calendar year (including both the open and closed navigation seasons) in excess of his permitted consumption for that calendar year.

(4) *Computation of rate of consumption.* The number of days' supply shall be computed at the average daily rate of allowable consumption for the last six months of 1945.

(5) *Fractional carloads.* If a publisher's delivery quota for any month is less than one carload, he may nevertheless order and accept, in that month, up to one full carload. If a publisher's delivery quota for any month is a whole number of carloads plus a fraction of another carload, the fraction may be added to his delivery quota for any succeeding month.

(6) *Transit damage.* If print paper in inventory is destroyed or damaged to such an extent that it becomes unusable in publishing his newspaper, whether this occurs while the paper is in transit or after it has reached its destination, the publisher may increase his delivery quota (but not his consumption quota) in the same or any subsequent month by an amount sufficient to replace such paper. It is immaterial whether or not the publisher is reimbursed for the destroyed or damaged paper by the shipper, the carrier, or an insurance company. It is also immaterial whether or not the publisher salvages all or part of the damaged paper for use other than in publishing his newspaper.

(7) *Report on transit damage.* Any publisher who increases his delivery quota to replace destroyed or damaged print paper in accordance with subparagraph 6 above shall, within 15 days after placing the order for such replacement, file a letter with the War Production Board stating the number of tons comprising the publisher's delivery quota for that month, the number of tons destroyed or damaged, the manner in which such



print paper was rendered unfit for use in publishing his newspaper, and the number of tons ordered in excess of his delivery quota. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(p) *Exceptions.* Permission to order or accept delivery of print paper in excess of the tonnage allowed under paragraph (c) may be granted by the War Production Board upon a written request for specific authorization stating the number of tons and the number of days' supply of print paper which the publisher has in inventory, the number of tons comprising his delivery quota, the number of additional tons he desires to order and accept, and the reasons why the denial of the request would create undue hardship.

(q) *Certification.* No mill or other supplier may sell or deliver to any person, and no person may accept, any print paper for use under Order L-240 except on a delivery order bearing or accompanied by a certification substantially in the form set forth below. This certification must be signed manually or as provided in Priorities Regulation No. 7 by the purchaser or by an official duly authorized for such purpose:

The undersigned certifies, subject to the penalties of section 35 (a) of the U. S. Criminal Code, to the seller and to the War Production Board: (a) that he is permitted to place this delivery order and to accept the print paper ordered; (b) that the print paper will be used or delivered, or that it is required to replace in inventory print paper previously used or delivered, under War Production Board Order L-240.

The above certification must be placed on, or must accompany, each delivery order placed by any person for print paper to be used under Order L-240, and the certification provided for in Priorities Regulation No. 7 may not be used in its place.

(r) *Inventory reports and copies of orders.* On and after July 1, 1945, the publisher of every newspaper which consumes 25 tons of print paper or more in any calendar quarter shall file with the War Production Board:

(1) A monthly statement of his inventory of print paper on Form WPB 4292 within three days after the close of each month, beginning with June 1945.

(2) Copies of all orders for the delivery of print paper placed by him or for his account. Such copies of orders must be mailed within three days after the orders are placed.

These reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(s) *Intra-company transfers.* The foregoing restrictions apply not only to deliveries from one person to another, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

#### Miscellaneous Provisions

(t) *Loans of print paper.* Any loan of print paper made by a publisher shall be reported to the War Production Board by letter within 15 days after the date of the loan. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(u) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(v) *Appeals.* Any appeal from the provisions of this order shall be made in accordance with Supplement 1 to the order. Regardless of the provisions of Priorities Regulation 16 no statement with respect to manpower information on Form WPB-3830 (or letter explaining why that form is not filed) need accompany any appeal.

(w) *Communications to the War Production Board.* All reports required to be filed hereunder, requests for specific authorization, appeals and other communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-240.

(x) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

INTERPRETATION 1: Revoked Dec. 24, 1943.

INTERPRETATION 2: Revoked Dec. 24, 1943.

INTERPRETATION 3: Revoked Dec. 24, 1943.

#### INTERPRETATION 4

##### TRANSIT DAMAGE

Paragraph (f) of Order L-240 states in part: "Transit damage shall not be included in a publisher's 'use' of print paper." This provision which was inserted in the order on December 24, 1943, merely explained, and did not change, the existing rule.

At all times since the issuance of Order L-240 on December 31, 1942, a publisher has been obliged to charge against his consumption quota only the print paper which was actually "used" in publishing his newspaper; print paper which was destroyed or damaged in transit need not be charged against the publisher's consumption quota to the extent that such print paper was rendered unusable in the publication of his newspaper. However, at all times since the issuance of Order L-240 on December 31, 1942, production waste has been included in the tonnage of print paper which is "used" in publishing a newspaper. (Issued Oct. 30, 1944.)

[F. R. Doc. 45-11928; Filed, July 8, 1945; 11:36 a. m.]

#### PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-241, as Amended July 3, 1945]

#### COMMERCIAL PRINTING AND DUPLICATING

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of paper for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

##### Scope

(a) The purpose of this order.

##### Definitions and explanations

- (b) Commercial printing.
- (c) Printer.
- (d) Paper.
- (e) Use.
- (f) Production waste.
- (g) [Deleted July 3, 1945.]
- (h) Transfer of quotas.
- (i) Exceptions.

##### Consumption quota

- (j) Printing which is covered by other orders.
- (k) Printing which is not restricted.
- (l) Computation of consumption quota.
- (m) Borrowing and carry-over.
- (n) Total permitted consumption.
- (o) [Deleted July 3, 1945.]
- (p) Certification to printer.

##### Delivery restrictions

- (q) Limit on tonnage which may be accepted.
- (r) Certification to paper dealer or mill.
- Material printed in violation of War Production Board orders*
- (s) Restrictions on paper suppliers, printers and binders.

##### Issuance of schedules

- (t) Prohibited and restricted uses of paper and paperboard.

##### Miscellaneous provisions

- (u) Records.
- (v) Applicability of regulations.
- (w) Appeals.
- (x) Communications.
- (y) Violations.

##### Schedule I

- (a) Limits on basis weights.
- (b) Exceptions to limits on basis weights.
- (c) Exceptions to Order L-120.

##### Schedule II

- (a) Commercial printing which is charged against the quota of both the printer and the person who causes it to be printed.
- (b) Shopping guides, free distribution newspapers, want ad publications, free distribution publications in newspaper format.
- (c) Miscellaneous publications.
- (d) [Deleted July 3, 1945.]
- (e) Certification.

##### Scope

§ 3133.9 *Limitation Order L-241—(a) The purpose of this order.* This order does four things: First it limits the tonnage of paper which a printer may use for commercial printing. This is called his "consumption quota". A printer may not exceed his consumption quota even though the paper is physi-



cally available to him. Second, it limits the tonnage of paper which may be accepted by or on behalf of a printer. It also limits the tonnage of paper which may be accepted by a purchaser of commercial printing for a printer's use. Third, it limits the basis weight of paper which may be used in printing certain items. Fourth, it limits the tonnage of paper which a person may cause to be consumed in printing certain items.

#### Definitions and Explanations

(b) *Commercial printing.* "Commercial printing" means all printing or duplicating produced by any of the following types of printing or duplicating machines:

Hand and automatic sheet and web-fed platen presses.  
Hand and automatic fed plate engraving presses.  
Hand and automatic fed flat-bed cylinder presses.  
Proof presses.  
Sheet and web-fed rotary letterpresses.  
Sheet and web-fed offset presses.  
Sheet and web-fed rotary gravure presses.  
Thermographic presses.  
Sheet and web-fed aniline-ink presses.  
Duplicating machines, including but not limited to ink ribbon, gelatin, spirit, stencil and reproducing typewriter principle machines and Multilith and Davidson duplicators.

However, this order does not affect printing which is covered by other orders of the War Production Board, as described in paragraph (j). "Printed matter" includes duplicated matter as well as printed matter.

If a person is uncertain as to whether particular printed matter is "commercial printing" as defined in this order, or whether it is covered by Schedules I or II of this order, he may ask the War Production Board for an official determination. The War Production Board may also make this determination upon its own motion. Such a determination may be made only by the Washington office of the War Production Board and shall be issued to the printer or publisher in the name of the Recording Secretary of the War Production Board. It shall be conclusive for the purpose of this order, unless revoked or modified by the same authority.

(c) *Printer.* The term "printer" is used throughout this order, for the sake of convenience and brevity, to include printers who operate printing machines and duplicators who operate duplicating machines. The order applies to every printer, including a printer who operates a private or "captive" plant as well as a printer who does work for the trade. The term does not include a publisher or a person who orders printing.

(d) *Paper.* "Paper" means any grade, quality, type, basis weight or size of paper, gummed paper, paperboard or bristol used in commercial printing. The term includes paper reclaimed wholly or partly from printed or unprinted waste,

as well as paper made entirely from virgin fiber.

(e) *Use.* (1) Paper is "used" when ink is first applied to it by a printer. However, paper is not "used" under this order when ink is applied to it by pen-ruling equipment. Sometimes paper is put through a press more than once, either by the same printer or by different printers—for instance, when several colors are used or when the imprint of a particular distributor is added after part of the printing is done. For the purposes of this order the paper is deemed to be "used" when the first application of ink is made by a printer. It makes no difference how many other applications of ink are put on the paper by the same or different printers.

(2) When a job is started in one calendar quarter and runs over into the next, the paper actually used during each quarter must be charged against the printer's consumption quota for that quarter. The entire job may not be regarded as if it were started and finished in the same quarter.

(f) *Production waste.* All production waste before, during and after printing (such as trim and waste sheets) shall be included in determining the tonnage of paper which a printer uses in commercial printing.

(g) [Deleted July 3, 1945.]

(h) *Transfer of quotas.* (1) Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a printer may not use for commercial printing any part of a consumption quota established under Order L-240 (Newspapers), Order L-244 (Magazines) or Order L-245 (Books and Booklets), and he may not permit any part of his consumption quota established under this order to be used for newspapers, magazines or books.

(2) It sometimes happens that one printer does work for another printer, and there is a question as to which one should deduct the paper from his quota. Printer A may "farm out" certain work by purchasing "press time" from printer B. This may be done, for example, where printer A cannot fill an order for a customer because he does not have available the right equipment, material, personnel, or facilities. In such a case, where the customer looks only to A for the finished product and where B acts merely as a sub-contractor, the paper may be charged against A's quota, even though B actually does the printing provided the order from A to B specifically states these facts. This does not mean that A may assign his quota to B. The rules governing the assignability of quotas are stated in Priorities Regulation 7A.

(i) *Exceptions.* Certain paragraphs of this order contain exceptions to general rules. These exceptions apply only to the provisions to which they specifically refer. They do not apply to any other portions of the order.

#### Consumption Quota

(j) *Printing which is covered by other orders.* Certain types of printing are

not covered by this order. When a printer adds up the weight of paper which he used in 1941, he may not count the paper which went into those items. Also, a printer may not use the consumption quota which he gets under this order for the printing of any of those items. They are:

- (1) Newspapers (defined in Limitation Order L-240).
- (2) Magazines (defined in Limitation Order L-244).
- (3) Books (defined in Limitation Order L-245).
- (4) Greeting cards and illustrated post cards (defined in Limitation Order L-289).
- (5) Displays (defined in Limitation Order L-294).
- (6) Wallpaper (defined in Limitation Order L-177).
- (7) Commercial printing for governmental units (defined in Limitation Order L-340).
- (8) Boxes (defined in Limitation Order L-239).
- (9) Converted products named in Lists A, B, C or D of General Conservation Order M-241-a, except gummed paper.
- (10) Any other "converted products" defined in General Conservation Order M-241-a except those which must be printed in order to serve the purpose for which they are made.

(k) *Printing which is not restricted.*

(1) A printer is not limited in the amount of paper which he may use for printing which is ordered by a contractor who will subsequently deliver the printing to the Army, Navy, Maritime Commission or War Shipping Administration as a part of a contract for an item purchased by one of those agencies. When only part of an order for printing is required for delivery to one of those agencies under such a contract, the printer must charge the paper used in the remaining part against his consumption quota.

(2) A printer is not limited in the amount of paper which he may use for official Army or Navy post, camp, station or unit newspapers if:

(i) They are ordered by the officer in command of the Army or Navy establishment on official War Department or Navy Department purchase orders, requisitions or contracts;

(ii) They contain no paid advertising; and

(iii) They are not owned, edited or operated by civilians but are run entirely by military personnel (although the printing may be done in commercial plants).

(3) A printer is not limited in the amount of paper which he may use for social stationery bearing the printed insignia or identification of an Army or Navy post, camp, station or unit, and sold in packages with envelopes to post exchanges or Ships Service Departments; the manufacture of envelopes, however, is controlled by Order M-241-a.

(4) No person may order commercial printing under paragraph (k) and no person may accept such an order, unless the person placing the order furnishes to that printer a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:



The undersigned certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with paragraph (k) of Order L-241 and that this purchase order is for printing governed by paragraph (k) of Order L-241. [If only part of the order is covered by paragraph (k) specify what part.]

(5) When a printer adds up the weight of paper which he used in 1941, he may not count the paper which went into the items described in paragraphs (k) (1) and (k) (2) above. Also, a printer may use an unlimited amount of paper for those items from now on.

(1) Computation of consumption quota. In the third calendar quarter of 1945 and in each calendar quarter after that, no printer may use for commercial printing any paper in excess of his quarterly consumption quota, which shall be computed as follows:

(1) Determine the printer's "quarterly base tonnage" according to either of the two following methods, depending on his individual needs. Having selected one method, the printer must use that method throughout the year.

First method:

(i) Add up the total pounds of paper used in 1941 for all types of printing;

(ii) Subtract the pounds of paper used in 1941 for the items covered by other orders, as listed in paragraph (j) above;

(iii) Subtract the pounds of paper used in 1941 for the unrestricted items listed in paragraph (k) above;

(iv) Divide by four. This is the printer's "quarterly base tonnage", from which the required reductions shall be made.

Second method:

(i) Add up the total pounds of paper used during the same calendar quarter of 1941 for all types of printing;

(ii) Subtract the pounds of paper used during that quarter of 1941 for the items covered by other orders, as listed in paragraph (j) above;

(iii) Subtract the pounds of paper used during that quarter of 1941 for the unrestricted items listed in paragraph (k) above.

(iv) The balance is the printer's "quarterly base tonnage", from which the required reductions shall be made.

(2) If the printer's quarterly base tonnage is not more than 5 tons, his quarterly consumption quota is 5 tons.

(3) If the printer's quarterly base tonnage is more than 5 tons but not more than 10 tons, his quarterly consumption quota is the same as his quarterly base tonnage.

(4) If the printer's quarterly base tonnage is more than 10 tons but less than 12½ tons, his quarterly consumption quota is 10 tons.

(5) If the printer's quarterly base tonnage is more than 12½ tons, his quarterly consumption quota is 80 percent of his quarterly base tonnage.

(6) If a person used no paper for commercial printing in 1941 and now wishes to enter the printing business, he shall have a consumption quota of 5 tons per quarter commencing with the third quarter of 1945 provided he files with the Commercial Printing Section, Printing

and Publishing Division, War Production Board, Washington 25, D. C., before using any part of the said consumption quota, substantially the following statement:

I hereby represent to the War Production Board, subject to the penalties of section 35 (A) of the United States Criminal Code, that I have no consumption quota for commercial printing under Order L-241, that I am not associated directly or indirectly with any person, firm or corporation having a consumption quota under that order, and that I will not become associated directly or indirectly with any such person, firm or corporation while using the consumption quota provided for me under paragraph (1) (6) of Order L-241.

A consumption quota provided by this paragraph (j) (6) shall be conditioned upon the continued accuracy of the above representations.

(m) Borrowing and carry-over. (1) A printer may add, under either method of computation, an extra 15 percent to his consumption quota in any quarter if he subtracts that amount from his consumption quota for the next quarter.

(2) A printer may carry over for future use accumulated savings resulting from under-use of quota (commencing with the fourth quarter of 1943), but he may not use in a calendar quarter any portion of his carry-over in excess of 15% of his consumption quota for that quarter. For example, if a printer's quarterly consumption quota is 100,000 pounds and his accumulated carry-over is 25,000 pounds, he may use in the current quarter, in addition to his quarterly consumption quota, 15,000 pounds of carry-over (i. e., 15% of 100,000 pounds) or a total of 115,000 pounds. The balance of the carry-over may be used in subsequent quarters, subject to the provisions of this paragraph.

(n) Total permitted consumption. A printer may use in any calendar quarter:

(1) His quarterly consumption quota as determined under paragraph (1);

(2) Plus permitted borrowing from his consumption quota for the next calendar quarter as provided in paragraph (m) (1);

(3) Plus any less-than-quota savings which may be used in that calendar quarter as provided in paragraph (m) (2); or minus any tonnage which had been borrowed during the preceding calendar quarter from his consumption quota for that calendar quarter, as provided in paragraph (m) (1);

(4) Plus ex-quota tonnage, if any, which may have been granted on appeal for consumption in that calendar quarter.

(o) [Deleted July 3, 1945.]

(p) Certification to printer. No printer may fill an order for (1) magazines, (2) books, (3) greeting cards or illustrated post cards, (4) commercial printing purchased by a government, or (5) any of the items listed in schedule II of this order, unless he receives, or has previously received, from the person who publishes or issues the item, or causes the item to be printed, a certification in substantially the following form, signed

manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with (insert the relevant provision) (1) Order L-244 (magazines), (2) Order L-245 (books), (3) Order L-289 (greeting cards and illustrated post cards), (4) L-340 (governmental commercial printing and duplicating), (5) Schedule II to Order L-241, and that all orders placed by the undersigned with that printer for items regulated by the relevant order (or schedule), as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for printing.

Delivery Restrictions

(q) Limit on tonnage which may be accepted. During the third calendar quarter of 1945 and each calendar quarter thereafter, no printer may accept, and no person may accept for that printer's use, paper in excess of his permitted consumption during that calendar quarter.

(r) Certification to paper dealer or mill. No printer may order or accept delivery of paper, and no person may deliver paper to a printer, unless the printer furnishes, or has previously furnished, to the person making the delivery, a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned printer certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L-241 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper. A new certification need not be furnished pursuant to the July 3, 1945 amendment of Order L-241 by any printer who has furnished a certification pursuant to paragraph (r) of Order L-241 as amended April 4, 1945.

Material Printed in Violation of War Production Board Orders

(s) Restrictions on paper suppliers, printers and binders. (1) No person may sell or deliver any paper which he knows, or has reason to believe, will be accepted or used in violation of this order.

(2) No person may apply ink to any paper if he knows, or has reason to believe, that the printing of such paper will be in excess of the publisher's permitted consumption under Limitation Orders L-240, L-244, L-245, L-289, L-340 or Schedule II of Order L-241.

(3) No person may bind or otherwise process paper if he knows, or has reason to believe, that such paper was used in excess of the printer's permitted consumption under this order.



### Issuance of Schedules

(t) *Prohibited and restricted uses of paper and paperboard.* The War Production Board may issue, from time to time, schedules which will prohibit the use of paper in certain items, limit the basis weight of paper which may be used in other items, and limit the tonnage of paper which a person who publishes or issues certain items may cause to be consumed in the printing of those items.

### Miscellaneous Provisions

(u) *Records.* In order to assure compliance with this order, every printer must calculate, as accurately as he can, the tonnage of paper which he used during each quarter of 1941 for the items covered by this order. He must also keep accurate records of this type of information for each calendar quarter beginning with January 1, 1943. He must preserve these figures and his work sheets, subject to inspection by War Production Board officials as long as this order remains in force and for 2 years after that.

(v) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(w) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter referring to the particular provision appealed from and stating fully the grounds of the appeal, or by filing in the pertinent information on Form WPB-3605. Regardless of the provisions of Priorities Regulation 16, no statement with respect to manpower information on Form WPB-3820 (or letter explaining why that form is not filed) need accompany any appeal.

(x) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-241.

(y) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

### SCHEDULE I

(a) *Limits on basis weights.* No person may manufacture and no person may cause to be manufactured any of the items listed in this schedule in a basis weight, thickness, area or weight per unit greater than the maximum specified for such use.

(1) Art reproductions, without advertising—basis weight 25 x 38—80#.

(2) Diaries, date books, desk calendar pads, and advertising memo pads—basis weight 17 x 22—16#.

(3) Dodgers and handbills—basis weight 24 x 36—32#.

(4) News letters and loose leaf services other than books (as defined in Order L-245)—basis weight 17 x 22—16# if printed one side, or 17 x 22—18# if printed two sides.

(5) Accounting records, books and forms—basis weight 17 x 22—28#; or if for loose leaf accounting forms used on an automatic posting machine—basis weight 17 x 22—32#.

(6) Corporate securities, checks, domestic and foreign currency—basis weight 17 x 22—24#, except counter checks, 17 x 22—16#.

(7) Notes, contracts, mortgages, wills, deeds, insurance policies, and legal forms—basis weight 17 x 22—16# if printed one side or 17 x 22—20# if printed two sides.

(8) Letterheads—basis weight 17 x 22—16#.

(9) Card indexes and card records—basis weight 25½ x 30½—110#.

(10) Time cards—caliper .014 inches.

(11) County record books and other permanent government records—basis weight 17 x 22—36#.

(12) Prospectuses for the sale of securities—basis weight 17 x 22—16#.

(13) Legal briefs and records on appeal—basis weight 25 x 38—40#.

(14) All other office, business and financial forms, except blank books, and except forms produced by a liquid or gelatin process—basis weight 17 x 22—16#.

(15) Road and street maps and guides for civilian use—basis weight 17 x 22—16#.

(16) Telephone directories—body basis weight 24 x 36—28#; cover basis weight 22½ x 28½—110#.

(17) Admission tickets—basis weight 22½ x 28½—90#, or any coated stock made from raw stock not over 22½ x 28½—90#.

(b) *Exceptions to limits on basis weights.* The above restrictions do not apply to paper which has been manufactured before October 21, 1943.

(c) *Exceptions to Order L-120.* Schedules I and III to Order L-120 provide:

Paper or paperboard may be manufactured for a particular use in any basis weight or thickness permitted for such use by this or any other order of the War Production Board, *Provided* the basis weight or thickness does not exceed the maximum specified by the War Production Board for such use, and *Provided* all other provisions of this or such other orders are fully complied with.

Pursuant to this provision the manufacture of paper in the basis weights specified in this list for items 1, 4, 6, 7, and 16 is hereby permitted.

### SCHEDULE II

(a) *Commercial printing which is charged against the quota of both the printer and the person who causes it to be printed.* Certain commercial printing is subject to a "two-sided" limitation. As is the case with all types of commercial printing covered by this order, the paper consumed in such printing must be deducted from the commercial printer's consumption quota; however, in the case of the material covered by this Schedule II, the same paper must also be deducted from the consumption quota of the person who causes it to be printed. In other words, the publisher or issuer of such material must reduce his consumption of paper by the required percentage and he must also have the printing done by a printer who will debit his consumption quota under paragraph (1) of this order.

Any paper which a commercial printer consumed in such printing during 1941 shall be included in computing his consumption quota under paragraph (1) whether or not he prints any of this material after January 1, 1945. The paper which a commercial printer consumes for such printing after January 1, 1945, must be deducted from his consumption quota, whether or not he printed such material in 1941.

(b) *Shopping guides, free distribution newspapers, want ad publications, free distribution publications in newspaper format—*

(1) *Consumption quota.* In the second calendar quarter of 1944, and in each calendar quarter after that, no publisher or other person may cause to be consumed in the printing of any shopping guide, free distribution newspaper, want ad publication or free distribution publication in newspaper

format any paper in excess of his quarterly consumption quota, which shall be determined as follows:

(i) Ascertain the tonnage of paper consumed in printing that particular publication in the corresponding quarter of 1941, including all supplements, inserts and other printed matter physically incorporated into such publication or delivered together with it. This is the publisher's "quarterly base tonnage", from which the required reductions shall be made.

(ii) If a publisher's quarterly base tonnage is 5 tons or less, his quarterly consumption quota is 5 tons. Moreover, any person who used no paper whatever for items covered by this paragraph in 1941 may cause 5 tons per quarter to be used for this purpose beginning with the third quarter of 1945.

(iii) If the publisher's quarterly base tonnage in any calendar quarter is more than 5 tons but less than 25 tons, his consumption quota for that quarter is the same as his base tonnage. He need not use less than he used in the corresponding quarter of 1941, but he may not use more.

(iv) If the publisher's base tonnage in any calendar quarter is 25 tons or more, the following sliding scale of percentage cuts shall be applied:

Deduct 8% of the amount over 25 tons but not over 125 tons.

Deduct 11% of the amount over 125 tons but not over 250 tons.

Deduct 14% of the amount over 250 tons but not over 500 tons.

Deduct 20% of the amount over 500 tons but not over 1000 tons.

Deduct 23% of the amount over 1000 tons.

The balance remaining after subtraction of the above reductions from the publisher's quarterly base tonnage is his consumption quota for that quarter. For example, if the publisher consumed during the third quarter of 1941 340 tons, his consumption quota for the third quarter of 1945 would be determined as follows:

25 tons no cut	25 tons
100 tons 8% cut	92 tons
125 tons 11% cut	111.25 tons
90 tons 14% cut	77.40 tons
340 tons quarterly base tonnage	305.65 tons quarterly consumption quota

(2) *Carry-over.* A publisher or issuer of a shopping guide, free distribution newspaper, want ad publication or free distribution publication in newspaper format may carry over for future use accumulated savings resulting from under-use of quota, but he may not use in a calendar quarter any portion of his carry-over in excess of 15% of his consumption quota for that quarter.

(3) *Transfer of quotas.* Where two or more shopping guides, free distribution newspapers, want ad publications, or free distribution publications in newspaper format are published by the same person and are distributed primarily in the same city or trading area, he may combine or distribute his consumption quotas among his publications in that city or trading area. However, after May 24, 1944, no such publisher may transfer any part of his consumption quota to a different city or trading area.

(4) "Servicemen's", "overseas", "pony" or other condensed editions of newspapers which are distributed without charge to United States Armed Forces personnel may be produced from a commercial printer's quota under Order L-241, without regard to paragraph (b) of Schedule II, provided the newspaper publisher makes no charge to a commercial sponsor or any other person for advertising space, for the editorial material appearing in the edition or for any other service connected with it. However, the



newspaper publisher may charge a sponsor for the cost of printing if the newspaper publisher operates a commercial printing establishment and deducts the paper from his commercial printing quota under Order L-241. A newspaper publisher may produce such an edition out of his own consumption quota under L-240 if he wishes to.

(c) *Miscellaneous publications*—(1) *Definition*. A "miscellaneous publication" is any bound or unbound collection of printed pages consisting of reading matter and/or illustrations (except newspapers as defined in Order L-240, magazines as defined in Order L-244, books as defined in Order L-245, the material described in paragraph (b) of the Schedule and sheet music) for which the issuer receives a consideration either from the sale of copies or from the inclusion of advertising or other material therein. However, the term does not include printed matter whose sole purpose is to advertise or promote the issuer's business, provided such printed matter is not offered for sale at a price in excess of the price paid in good faith by the issuer to the printer.

(2) *Consumption quota*. During the year 1945, and each year after that, no person may cause to be consumed in the printing of miscellaneous publications more than 77½% of the weight of paper which he caused to be consumed in the printing of such publications in 1941 or 1944, or 10 tons, whichever is greater.

(3) *New publishers*. If a person used no paper for miscellaneous publications in 1941 or 1944 he shall have a consumption quota of 10 tons for the period between July 1, 1945 and December 31, 1945, provided he files with the Commercial Printing Section, Printing and Publishing Division, War Production Board, Washington 25, D. C., before using any part of the said consumption quota, substantially the following statement:

I hereby represent to the War Production Board, subject to the penalties of section 35 (A) of the United States Criminal Code, that I have no consumption quota for the issuance of miscellaneous publications under paragraph (c) (2) or (c) (3) of Schedule II, Order L-241, that I am not associated directly or indirectly with any person, firm or corporation having a consumption quota under that Schedule, and that I will not become associated directly or indirectly with any such person, firm or corporation while using the consumption quota provided for me under paragraph (c) (3) of Schedule II to Order L-241.

A consumption quota provided by this paragraph (c) (3) shall be conditioned upon the continued accuracy of the above representations.

(d) [Deleted July 3, 1945.]

(e) *Certification*. No person may order any of the items listed in this schedule to be printed unless he furnishes or has previously furnished to the printer, a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher or issuer certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Schedule II to Order L-241 and that all orders placed by the publisher or issuer with that printer for items regulated by that schedule, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

INTERPRETATION 1: Revoked May 24, 1944.

[F. R. Doc. 45-11929; Filed, July 3, 1945; 11:36 a. m.]

#### PART 3133—PRINTING AND PUBLISHING

[Limitation Order L-244, as Amended July 3, 1945]

##### MAGAZINES AND PERIODICALS

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of paper for defense, for private account, and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

##### Scope

(a) The purpose of this order.

##### Definitions and Explanations

- (b) Magazine.
- (c) Publisher.
- (d) Paper.
- (e) Use.
- (f) Production waste.
- (g) Determination of consumption quotas.
- (h) Transfer of quotas.
- (i) Official determinations

##### Consumption Quota

- (j) Computation of consumption quota.
- (k) Borrowing and carry-over.
- (l) Total permitted consumption.
- (m) Allotment to Army and Navy.
- (n) Certification to printer.

##### Delivery Restrictions

(o) Limit on tonnage which may be accepted.

(p) Certification to paper dealer or mill.

##### Magazines or Parts Thereof Printed in Violation of Order

(q) Restrictions on paper suppliers, printers, binders, distributors, wholesalers, and others.

##### Miscellaneous Provisions

- (r) Records.
- (s) Applicability of regulations.
- (t) Appeals.
- (u) Communications.
- (v) Violations.

##### Scope

##### § 3133.15 Limitation Order L-244—

(a) *The purpose of this order*. This order does three things: First, it limits the tonnage of paper which a magazine publisher may cause to be used for printing magazines. This is called his "consumption quota." A publisher may not exceed his consumption quota even though the paper is physically available to him or his printer. Second, it limits the tonnage of paper which may be accepted by or on behalf of a magazine publisher. It also limits the tonnage of paper which may be accepted by or on behalf of a printer for a particular publisher's use in the production of magazines. Third, it places certain restrictions on paper suppliers, printers, bind-

ers, distributors, wholesalers and others in their dealings with publishers who consume paper in excess of their allowable consumption under this order.

##### Definitions and Explanations

(b) *Magazine*. (1) A "magazine" is any periodical or "one-shot" generally recognized as a magazine in the magazine industry. The term includes all supplements, inserts and other matter physically incorporated into a magazine or delivered with it, and reprints containing 40 percent or more of the editorial content appearing in any issue of a magazine. The paper consumed in such a reprint must be charged against the quota of the publisher from whose magazine the material was reprinted.

(2) If a publisher is uncertain as to whether or not his publication is a magazine as defined in this order, he may ask the War Production Board for an official determination. The War Production Board may also make this determination upon its own motion.

(c) *Publisher*. The "publisher" of a magazine is the person who causes it to be printed and undertakes the ultimate risk of the publishing venture. The term includes an individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not. Where a group of magazines is under common control, but each magazine is published by a separate business entity, a separate consumption quota and a separate delivery quota shall be established for each magazine. It makes no difference if several of these operating entities are subsidiaries of the same parent corporation, or are controlled by the same individual or group of individuals. Not more than one person's consumption quota may be used to publish the same magazine or substantially the same magazine. The War Production Board, upon its own motion or upon the request of an interested party, may determine who is the publisher of a particular magazine.

(d) *Paper*. "Paper" means any grade, quality, type, basis weight or size of paper used in the printing of a magazine. The term includes paper reclaimed wholly or partly from printed or unprinted waste as well as paper made entirely from virgin fiber.

(e) *Use*. (1) Paper is "used" when ink is first applied to it. The date of issuance carried on the magazine is immaterial.

(2) When the printing of an issue is started in one calendar quarter and runs over into the next, the paper actually used during each quarter must be charged against the publisher's consumption quota for that quarter. The entire printing may not be regarded as if it were started and finished in the same quarter.

(f) *Production waste*. All production waste before, during and after printing (such as trim and waste sheets) shall be included in determining the tonnage of paper which a publisher causes to be used in printing magazines.



(g) *Determination of consumption quotas.* The War Production Board, upon its own motion or upon the request of an interested party, may determine the size of a publisher's consumption quota.

(h) *Transfer of quotas.* (1) Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a publisher may not cause to be used for the printing of a magazine any part of a consumption quota established under Order L-240 (Newspapers), L-241 (Commercial Printing and Duplicating), or L-245 (Books and Booklets), and he may not permit any part of his consumption quota established under this order to be used for newspapers, commercial printing or books.

(2) No publisher may cause to be used in printing magazines any part of a consumption quota arising from the previous publication of another magazine by another publisher. No publisher may permit any part of the consumption quota arising from the publication of a magazine by him to be used in printing another magazine published by another person.

(3) Except under the circumstances stated in Priorities Regulation 7A, the transfer of quotas and the acquisition or use of a publisher's quota by any other person, directly or indirectly, is a violation punishable in accordance with paragraph (v). Quotas established by this order may not be bought or sold under any guise. Thus, if A, a publisher with a quota under this order, places his name in the masthead of a magazine, and otherwise identifies himself as its publisher, but B performs most of the customary publishing functions, this is an unauthorized use by B of A's quota.

(i) *Official determinations.* The official determinations described in paragraphs (b) (2), (c) and (g) may be made only by the Washington office of the War Production Board and shall be issued in the name of the Recording Secretary of the War Production Board. They shall be conclusive for the purpose of this order, unless revoked or modified by the same authority.

#### *Consumption Quota*

(j) *Computation of consumption quota.* In the third calendar quarter of 1945, and in each calendar quarter after that, no publisher may cause to be used for the printing of his magazines any paper in excess of his quarterly consumption quota, which shall be computed as follows:

(1) Determine the gross tonnage of paper consumed in printing the publisher's magazines in the calendar year 1942, and divide by four. This is the publisher's "quarterly base tonnage" from which the required reductions shall be made.

(2) If the publisher's quarterly base tonnage is 5 tons or less, his quarterly consumption quota is 5 tons.

(3) If the publisher's quarterly base tonnage is more than 5 tons but not more than 27.8 tons, his quarterly consumption quota is 95 percent of his quarterly base tonnage or 5 tons, whichever is larger.

(4) If the publisher's quarterly base tonnage is more than 27.8 tons, his quarterly consumption quota is 80 percent of his quarterly base tonnage or 26.7 tons, whichever is larger.

(5) If a person used no paper for publishing magazines in 1942, he shall have a consumption quota of 5 tons per calendar quarter commencing with the third quarter of 1945, provided he files with the Magazine and Periodical Section, Printing and Publishing Division, War Production Board, Washington 25, D. C., before using any part of the said consumption quota, substantially the following statement:

I hereby represent to the War Production Board, subject to the penalties of Section 35 (A) of the United States Criminal Code, that I have no consumption quota for the publication of magazines under Order L-244, that I am not associated directly or indirectly with any person, firm or corporation having a consumption quota under that order, and that I will not become associated directly or indirectly with any such person, firm or corporation while using the consumption quota provided for me under paragraph (j) (5) of Order L-244.

A consumption quota provided by this paragraph (j) (5) shall be conditional upon the continued accuracy of the above representations.

(k) *Borrowing and carry-over.* (1) A publisher may add an extra 15 percent to his consumption quota in any quarter if he subtracts that amount from his consumption quota for the next quarter.

(2) A publisher may carry over for future use accumulated savings resulting from underuse of quota, but he may not use in a calendar quarter any portion of his carry-over in excess of 15% of his consumption quota for that quarter.

(3) [Deleted July 3, 1945.]

(l) *Total permitted consumption.* A publisher may use in any calendar quarter:

(1) His quarterly consumption quota, as determined under paragraph (j);

(2) Plus permitted borrowing from his consumption quota for the next calendar quarter, as provided in paragraph (k) (1);

(3) Plus any less-than-quota savings which may be used in that calendar quarter as provided in paragraph (k) (2), or minus any tonnage which had been borrowed during the preceding calendar quarter from his consumption quota for that calendar quarter, as provided in paragraph (k) (1);

(4) Plus ex-quota tonnage, if any, which may have been granted on appeal for consumption in that quarter.

(m) *Allotment to Army and Navy.* (1) The War Production Board may from time to time allot to the Army and

the Navy a specified tonnage of paper to be consumed in printing magazines which will be furnished without charge to United States Armed Forces personnel in the continental United States and special "pony editions" of magazines which will be furnished to United States Armed Forces personnel overseas, whether such "pony editions" are sold or not. The overseas allotment may be extended to regular editions where the production of special "pony editions" is impracticable because of the small number of copies involved.

(2) From this allotment the Army and the Navy, under a delegation of authority from the War Production Board, may grant to individual publishers the right to add to their consumption quotas the tonnage of paper consumed in printing such magazines acquired by the Army and the Navy for distribution as described under paragraph (m) (1). This allotment does not cover purchases of magazines by military exchanges or service departments as defined in Priorities Regulation 17 for distribution within the continental limits of the United States. All magazines sold to the military shall be charged against the publisher's consumption quota unless the publisher has received a specific grant from the Army or the Navy pursuant to this paragraph.

(n) *Certification to printer.* No publisher may order magazines to be printed, and no person may print such magazines, unless the publisher furnishes, or has previously furnished, to that printer a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Order L-244, and that all orders placed by the publisher with that printer for items regulated by Order L-244, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for printing.

#### *Delivery Restrictions*

(o) *Limit on tonnage which may be accepted.* During the third calendar quarter of 1945 and each calendar quarter thereafter, no publisher may accept, and no person may accept for that publisher's use, paper in excess of his permitted consumption during that calendar quarter.

(p) *Certification to paper dealer or mill.* No publisher may order or accept delivery of paper and no person may deliver paper to a publisher unless the publisher furnishes, or has previously furnished, to the person making the delivery a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the



United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L-244 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper.

A new certification need not be furnished pursuant to the July 3, 1945 amendment of Order L-244 by any publisher who has furnished a certification pursuant to paragraph (p) of Order L-244 as amended April 4, 1945.

#### *Magazines or Parts Thereof Printed in Violation of Order*

(q) *Restrictions on paper suppliers, printers, binders, distributors, wholesalers, and others.* (1) No person may sell or deliver any paper which he knows or has reason to believe will be accepted or used in violation of this order.

(2) No person may apply ink to any paper in the production of magazines if he knows or has reason to believe that the printing of such paper will be in excess of the publisher's allowable consumption under this order.

(3) No person may apply any additional ink to paper, and no person may bind or otherwise process paper, in the production of magazines if he knows or has reason to believe that such paper was printed in excess of the publisher's allowable consumption under this order.

(4) No person may agree to purchase for resale, and no person may accept for resale, any magazines which he knows or has reason to believe were printed in excess of the publisher's allowable consumption under this order.

(5) No person may sell, distribute or otherwise dispose of magazines, except for redelivery to his supplier or for use as waste paper scrap, if, before he accepted them, he knew or had reason to believe that they were printed in excess of the publisher's allowable consumption under this order.

(6) No person may export for resale magazines which he knows or has reason to believe were printed in excess of the publisher's allowable consumption under this order.

#### *Miscellaneous Provisions*

(r) *Records.* Every publisher must keep accurate records, by calendar quarters, of the number of copies of each magazine which he caused to be printed, the tonnage of paper which he caused to be used for each magazine, the tonnage of paper of each grade and item of paper received during the quarter, and the tonnage of paper in inventory at the time of each delivery, subject to inspection by the authorized representatives of the War Production Board. These records must be preserved as long as this order remains in force, and for two years after that.

(s) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(t) *Appeals.* Any appeal from the provisions of this order shall be made in accordance with Supplement I to the order. Regardless of the provisions of Priorities Regulation 16, no statement with respect to manpower information on Form WPB-3820 (or letter explaining why that form is not filed) need accompany any appeal.

(u) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-244.

(v) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-11930; Filed, July 3, 1945;  
11:30 a. m.]

#### **PART 3133—PRINTING AND PUBLISHING**

[Limitation Order L-245, as Amended  
July 3, 1945]

#### **BOOKS AND BOOKLETS**

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of paper for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

#### *Scope*

(a) The purpose of this order.

#### *Definitions and Explanations*

- (b) Book.
- (c) Publisher.
- (d) Paper.
- (e) Put into process.
- (f) Production waste.
- (g) Determination of consumption quotas.
- (h) Transfer of quotas.
- (i) Official determinations.

#### *Consumption Quota*

- (j) Computation of consumption quota.
- (k) Carry-over.
- (l) Total permitted consumption.
- (m) Restriction on paper for reprinting.
- (n) Breach of contracts.
- (o) Allotment to Army and Navy.
- (p) Certification to printer.

#### *Delivery Restrictions*

- (q) Limit on tonnage which may be accepted.
- (r) Certification to paper dealer or mill.

#### *Books or Parts Thereof Printed in Violation of Order*

(s) Restrictions on paper suppliers, printers, binders, distributors, wholesalers, and others.

#### *Miscellaneous Provisions*

- (t) Records.
- (u) Applicability of regulations.
- (v) Appeals.
- (w) Communications.
- (x) Violations.

#### *Scope*

§ 3133.17 *Limitation Order L-245—*  
(a) *The purpose of this order.* This order does three things: First, it limits the tonnage of paper which a book publisher may cause to be put into process in the production of books. This is called his "consumption quota." A publisher may not exceed his consumption quota even though the paper is physically available to him or his printer. Second, it limits the tonnage of paper which may be accepted by or on behalf of a book publisher. It also limits the tonnage of paper which may be accepted by or on behalf of a printer for a particular publisher's use in the production of books. Third, it places certain restrictions on paper suppliers, printers, binders, distributors, wholesalers and others in their dealings with publishers who consume paper in excess of their allowable consumption under this order.

#### *Definitions and Explanations*

(b) *Book.* "Book" means any bound or loose-leaf collection of 32 or more pages. It also means any school workbook, educational test, or book intended for juvenile use, irrespective of the number of pages. Advance parts and supplements of books are included. For the sake of convenience the word "book" is used throughout this order, even though the order also covers items which are more commonly referred to as "booklets" or "pamphlets". Excluded from the definition of "book" and hence from the provisions of this order are the following:

(1) Magazines as defined in Order L-244 and newspapers as defined in Order L-240;

(2) Diaries, date books, memorandum books, address books, blank books, accounting books, sales books, business-entry books, ledgers, journals, and other items in book format (except school workbooks and educational tests) whose primary function is to provide space for the entry of data rather than instructional material, reading matter or illustrations;

(3) Albums less than half of whose pages contain reading matter or illustrations;

(4) Catalogs or advertising brochures issued by or for persons who manufacture, distribute, or offer for sale the products, commodities or services listed or illustrated therein, including inserts supplied by manufacturers or distributors to publishers who distribute them collectively in "catalog files," "cooperative files," "condensed catalogs," "catalog yearbooks," or similar reference volumes; *Provided, however,* That the paper used in the production of all editorial material contained in such volumes, such as prefaces, forewords, indices, blank pages, textbook data, classified directory information, condensed and typographically standardized pages of product or



service data, and display and all other advertisements shall be charged to the quota of the publisher under this order;

(5) Directories issued by a person whose primary business is not publishing;

(6) Printed matter of which no copies of any edition are offered for sale, either singly or in bulk, at any level of distribution. Printed matter is "offered for sale" if it is offered either in consideration of a monetary payment, as a premium, bonus or dividend, in connection with a correspondence course, in part consideration of society membership dues, or for any other consideration direct or indirect. Printed matter is "offered for sale" if the publisher receives any compensation for the inclusion of material therein.

(7) Instructional manuals concerned exclusively with the specific brand of products manufactured or distributed by the person issuing the manuals. (Instructional manuals applicable to other brands of the same or similar products are not within this exception.)

(8) School or college annuals and yearbooks;

(9) Cut-out or other game books covered by Order M-241-a, List D.

NOTE: Items (2) to (8) inclusive are "commercial printing" under Order L-241. Schedule II of that order limits the tonnage of paper which a publisher or issuer of certain of these items may cause to be used. Also, Schedule II of Order L-241 limits the tonnage of paper which a publisher or issuer may cause to be used in certain types of printed matter for which the issuer receives a consideration and which are not "books" as defined in this order or "magazines" as defined in Order L-244.

If a publisher is uncertain as to whether or not his publication is a book as defined in this order, he may ask the War Production Board for an official determination. The War Production Board may also make this determination upon its own motion.

(c) *Publisher.* The "publisher" of a book is the person who performs, with respect to that book, the functions of a publisher as that term is generally understood in the book publishing industry. The War Production Board, upon its own motion or upon the request of an interested party, may determine who is the publisher of a particular book.

(d) *Paper.* "Paper" means any grade, quality, type, basis weight or size of paper used in the production of a book, including end papers, labels, paper covers and jackets. The term includes paper reclaimed wholly or partly from printed or unprinted waste as well as paper made entirely from virgin fiber.

(e) *Put into process.* All the paper consumed in a single, complete, continuous printing of a book is "put into process" when the press run is commenced. Paper "put into process" includes paper printed by letter-press, offset or any other process.

(f) *Production waste.* All production waste before, during and after printing (such as trim and waste sheets) shall be included in determining the tonnage of paper which a publisher causes to be

put into process in the production of a book.

(g) *Determination of consumption quotas.* The War Production Board, upon its own motion or upon the request of an interested party, may determine the size of a publisher's consumption quota.

(h) *Transfer of quotas.* (1) Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a publisher may not use for the production of books any part of a consumption quota established under Order L-240 (newspapers), L-241 (commercial printing) or L-244 (magazines) and he may not permit any part of his consumption quota established under this order to be used for newspapers, commercial printing, or magazines.

(2) This order does not prohibit the established practice in the book publishing industry whereby one publisher occasionally undertakes the sale and distribution of an edition or part of an edition of books published by another person. It does not sanction the acquisition by one publisher of another publisher's consumption quota. Quotas established by this order may not be bought or sold under any guise. The transfer of quotas is prohibited, except under the circumstances stated in Priorities Regulation 7A. The use by one publisher, directly or indirectly, of a consumption quota provided for another publisher is a violation, punishable in accordance with paragraph (x).

Except where specific authorization is granted by the War Production Board upon application in writing, paper which is put into process in the production of a book may be charged only against the quota of the person:

(i) Who is the publisher of the book; and

(ii) Who owns the copyright or the publication rights under copyright by assignment from the copyright owner; and

(iii) Whose publishing imprint appears on the title page; spine and jacket of the book to the exclusion of any other imprint or colophon of any kind; and

(iv) Who undertakes the ultimate risk of the publishing venture.

(i) *Official determinations.* The official determinations described in paragraphs (b) (c) and (g) may be made only by the Washington office of the War Production Board and shall be issued in the name of the Recording Secretary of the War Production Board. They shall be conclusive for the purpose of this order unless revoked or modified by the same authority.

#### Consumption Quota

(j) *Computation of consumption quota.* In the calendar year 1945, and in each calendar year after that, no publisher may cause to be put into process for the production of books any paper in excess of his consumption quota, which shall be computed as follows:

(1) Determine the gross tonnage of paper consumed in the production of the publisher's books in the calendar year 1942. This is the publisher's "base tonnage" from which the required reductions shall be made.

(2) If the publisher's base tonnage is not more than 20 tons, his consumption quota for the entire year 1945 shall be 10 tons plus one-half of his base tonnage.

(3) If the publisher's base tonnage is more than 20 tons but not more than 100 tons, his consumption quota is 20 tons plus 87½ percent of that part of his base tonnage in excess of 20 tons.

(4) If the publisher's base tonnage is more than 100 tons his consumption quota is 77½ percent of his base tonnage, or 90 tons, whichever is larger.

(5) If a person used no paper for publishing books in 1942, he shall have a consumption quota of 10 tons for the period between July 1, 1945 and December 31, 1945, *Provided*, He files with the Book Section, Printing and Publishing Division, War Production Board, Washington 25, D. C., before using any part of the said consumption quota, substantially the following statement:

I hereby represent to the War Production Board, subject to the penalties of Section 35 (A) of the United States Criminal Code, that I have no consumption quota for the publication of books under Order L-245, that I am not associated directly or indirectly with any person, firm or corporation having a consumption quota under that order, and that I will not become associated directly or indirectly with any such person, firm or corporation while using the consumption quota provided for me under paragraph (j) (5) of Order L-245.

A consumption quota provided by this paragraph (j) (5) shall be conditioned upon the continued accuracy of the above representations.

NOTE: Paragraph (k), formerly paragraph (k) (2), redesignated, and paragraphs (k) (1) and (k) (3) deleted, July 3, 1945.

(k) *Carry-over.* A publisher may carry over for future use accumulated savings resulting from under-use of quota, but he may not use in a calendar year any portion of his carry-over in excess of 15% of his consumption quota. For example, if a publisher's consumption quota in 1945 is 100,000 pounds and his carry-over from 1944 is 20,000 pounds, he may use in 1945 in addition to his consumption quota a maximum carry-over of 15,000 pounds (i. e., 15% of 100,000 pounds). The balance of carry-over from 1944 (i. e., 5,000 pounds) plus any under consumption in 1945 may be carried over and used in 1946 provided the total of such carry-over from 1944 and 1945 does not exceed 15% of his consumption quota for 1946.

(l) *Total permitted consumption.* A publisher may cause to be put into process in any calendar year:

(1) His yearly consumption quota as determined under paragraph (j);



(2) Plus any less-than-quota savings carried over from previous years, as provided in paragraph (k);

(3) Plus ex-quota tonnage, if any, which may have been granted on appeal for consumption in that year.

(m) *Restriction on paper for reprinting.* No publisher may use, in the reprinting of any book, paper of a basis weight heavier than that used in the last printing of the book, except that paper which was in the publisher's inventory on or before June 30, 1945 may be used for reprintings, irrespective of the basis weight. A publisher "reprints" a book if he uses any part of the type or plates used in a previous printing of that book or if he reproduces any part of it by offset or any similar process.

(n) *Breach of contracts.* As provided in Title III of the Second War Powers Act, no person shall be held liable for damages or penalties for any default under any contract which shall result directly or indirectly from compliance with this order.

(o) *Allotment to Army and Navy.* (1) The War Production Board may from time to time allot to the Army and the Navy a specified tonnage of paper to be consumed in printing books which will be furnished without charge to United States Armed Forces personnel in the continental United States, and to United States Armed Forces personnel outside the continental limits of the United States whether such books are sold or not.

(2) From this allotment the Army and the Navy, under a delegation of authority from the War Production Board, may grant to individual publishers the right to add to their consumption quotas the tonnage of paper consumed in such books acquired by the Army and the Navy. This allotment does not cover purchase of books by military exchanges or service departments, as defined in Priorities Regulation 17 for distribution within the continental limits of the United States. All books sold to the military shall be charged against the publisher's consumption quota unless the publisher has received a specific grant from the Army or the Navy pursuant to this paragraph.

(p) *Certification to printer.* No publisher may order books to be printed, and no person may print such books, unless the publisher furnishes or has previously furnished to that printer a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the printer and to the War Production Board that he is familiar with Order L-245 and that all orders placed by the publisher with that printer for items regulated by Order L-245, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for printing.

#### *Delivery Restrictions*

(q) *Limit on tonnage which may be accepted.* During the third calendar

quarter of 1945 no publisher may accept, and no person may accept for that publisher's use, paper in excess of 32½% of his permitted consumption for 1945, or 65% of that portion of his permitted consumption for 1945 which remained unused on June 30, 1945, whichever is larger.

(r) *Certification to paper dealer or mill.* No publisher may order or accept delivery of paper, and no person may deliver paper to a publisher, unless the publisher furnishes, or has previously furnished, to the person making the delivery a certification in substantially the following form, signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for such purpose:

The undersigned publisher certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that he is familiar with Order L-245 and that all purchases by him of items regulated by that order, as amended from time to time, will be in compliance therewith.

This is a one-time certification and need not accompany each individual order for paper.

A new certification need not be furnished pursuant to the July 3, 1945 amendment of Order L-245 by any publisher who has furnished a certification pursuant to paragraph (r) of Order L-245 as amended April 4, 1945.

#### *Books or Parts Thereof Printed in Violation of Order*

(s) *Restrictions on paper suppliers, printers, binders, distributors, wholesalers, and others.* (1) No person may sell or deliver any paper which he knows or has reason to believe will be accepted or used in violation of this order.

(2) No person may apply ink to any paper in the production of books if he knows or has reason to believe that the printing of such paper will be in excess of the publisher's allowable consumption under this order.

(3) No person may apply any additional ink to paper, and no person may bind or otherwise process paper, in the production of books if he knows or has reason to believe that such paper was printed in excess of the publisher's allowable consumption under this order.

(4) No person may agree to purchase for resale, and no person may accept for resale, any books which he knows or has reason to believe were printed in excess of the publisher's allowable consumption under this order.

(5) No person may sell, distribute or otherwise dispose of books, except for re-delivery to his supplier or for use as waste paper scrap, if, before he accepted them, he knew or had reason to believe that they were printed in excess of the publisher's allowable consumption under this order.

(6) No person may export for resale books which he knows or has reason to believe were printed in excess of the pub-

lisher's allowable consumption under this order.

#### *Miscellaneous Provisions*

(t) *Records.* Every publisher must keep accurate records of the tonnage of paper which he causes to be put into process for books, the tonnage of each item of paper received by him and the tonnage of paper in inventory at the time of each delivery, subject to inspection by the duly authorized representatives of the War Production Board. These records must be preserved as long as this order remains in force, and for two years after that.

(u) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(v) *Appeals.* Any appeal from the provisions of this order shall be made in accordance with Supplement 1 to the order. Regardless of the provisions of Priorities Regulation 16 no statement with respect to manpower information on Form WPB-3820 (or letter explaining why that form is not filed) need accompany any appeal.

(w) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Washington 25, D. C., Ref: L-245.

(x) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-11931; Filed, July 3, 1945; 11:30 a. m.]

#### **PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN**

[CMP Reg. 2, Inventory Dir. 24]

#### **FORTY-FIVE DAY INVENTORY ON STEEL SHEET AND STRIP**

The following direction is issued pursuant to CMP Regulation 2:

§ 3175.124 *Inventory Direction 24 to CMP Regulation 2.* (a) Notwithstanding the provisions of CMP Regulation 2, paragraph (b) (1), no user shall accept delivery of any item of steel sheet and strip if his inventory of such item is, or will by virtue of such acceptance become, in excess of the quantity of such item he will be required to put into use during the succeeding 45 days for production or construction in order to carry out his current or scheduled operations.

(b) The exceptions in paragraph (c) of CMP Regulation 2 apply to deliveries



of steel sheet and strip under this direction.

(c) This direction does not apply to:

(1) Any person who will use less than 50,000 pounds of steel sheet and strip in the calendar month in which delivery is accepted. However, the provisions of paragraph (b) of CMP Regulation 2 (specifying a 60-day inventory or a minimum practicable working inventory, whichever is less) do apply.

(2) Steel sheet and strip which, at the effective date of this direction, was in transit or loaded for shipment.

(d) Users must immediately cancel, reduce or defer any order for steel sheet and strip which has been placed where the scheduled delivery would result in an inventory in excess of that permitted by this direction.

(e) No user may place any order for steel sheet and strip requesting delivery which would result in an inventory in excess of that permitted by this direction.

(f) This direction is effective July 9, 1945.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-11926; Filed, July 3, 1945;  
11:30 a. m.]

#### PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Limitation Order L-201, Revocation]

##### AUTOMOTIVE TIRE CHAINS, TRACTOR TIRE CHAINS, AND CHAIN PARTS

§ 3274.76 *Limitation Order L-201* is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under the order. The manufacture and delivery of automotive tire chains, tractor tire chains, and chain parts are subject to the restrictions of L-302, as amended simultaneously with this revocation, and all other applicable orders and regulations of the War Production Board.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-11927; Filed, July 3, 1945;  
11:31 a. m.]

#### PART 3274—MACHINE TOOLS AND INDUSTRIAL SPECIALTIES

[Limitation Order L-302, as Amended July 3, 1945]

##### CHAIN

The fulfillment of requirements for the defense of the United States has created a shortage of chain for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.77 *Limitation Order L-302*—(a) *Definitions.* For the purposes of this order:

(1) "Producer" means any person who manufactures chain.

(2) "Chain" means any welded or weldless chain, excluding attachments other than repair links and excluding the following types of chain:

NOTE: The item "Tire Chain" deleted from list July 3, 1945.

Anchor chain (stud link).  
Band track chain.  
Bead chain.  
Buoy chain.  
Cast metal chain.  
Jewelry chain (for identification tags, costume jewelry, etc.).  
Metal pickling chain.  
Pocket wheel chain and chain for other wheel mechanisms.  
Sprocket wheel, hoist, and conveyor chain, including ladder chain.  
Universal chain.  
Welded brass chain.  
Welded sash chain.

(3) "Chain assembly" means any chain which has been cut by the producer to a fixed length and assembled, with or without attachments, to fulfill a specific purpose.

(4) "Present manufacture" means as regularly manufactured by a producer on June 26, 1943.

(5) [Deleted July 3, 1945.]

(6) [Deleted July 3, 1945.]

(b) *Restrictions on manufacture of chain.* (1) Except as provided in paragraph (b) (2) hereof:

(i) No producer shall commence processing any raw material into any chain or chain assembly which does not conform to the types, sizes, specifications, and finish contained and prescribed in the schedule attached hereto.

(ii) No producer shall sell or make delivery, nor shall any person purchase or accept delivery of any chain or chain assembly which he knows or has reason to believe was not manufactured in accordance with this order.

(2) The provisions of paragraph (b) (1) shall not apply

(i) To any chain or chain assembly not permitted by the schedule attached hereto processed from any raw material in a producer's inventory on June 26, 1943, or received within 45 days after June 26, 1943: *Provided*, That such raw material is not suitable for processing into any chain or chain assembly permitted by the schedule attached hereto.

(ii) To any chain or chain assembly the production of which has been commenced prior to June 26, 1943.

(iii) To any completed chain or completed chain assembly which was in any person's inventory in finished form on June 26, 1943.

(iv) To special chain assemblies made up to fulfill specific purposes which cannot be served by the types of chain assemblies permitted to be manufactured by the schedule attached hereto. Such special assemblies may be made only to fill a specific order placed by an ultimate consumer and shall be made only out of those types of chain permitted to be manufactured in the schedule attached hereto.

(v) To any chain required for the repair or maintenance of existing chain or chain assemblies when such repair or

maintenance requires chain of special link dimensions not permitted by the schedule attached hereto.

(vi) To the carburizing or nitriding of chain to meet individual specifications.

(vii) To any chain or chain assembly produced with specific permission of the War Production Board.

(3) Wherever on the attached schedule with respect to any type of chain or chain assembly link dimensions are specified as "present manufacture" each producer shall forthwith file with the War Production Board, Tools Division, Reference: L-302, his established link dimensions for such type chain or chain assembly. The producer may thereafter apply to the War Production Board for leave to amend such link dimensions, but unless and until such leave is granted by the War Production Board in writing, such link dimensions in accordance with their present manufacture shall remain binding upon such producer.

(c) [Deleted July 3, 1945]

(d) [Deleted October 30, 1943]

(e) *Reports.* Each producer shall execute and file with the War Production Board Form WPB-2064 and such other reports and questionnaires as said Board may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Applicability or regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulation of the War Production Board.

(h) *Communications.* All reports, appeals, and other communications concerning this order shall be addressed to: War Production Board, Tools Division, Washington, D. C., Ref.: L-302.

(i) *Violations.* Any person who willfully violates any provision of this order, or who in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

##### SCHEDULE

###### TABLE I—WELDED STEEL COIL CHAIN

Welded steel coil chain shall be made only in the following types. Link design of all types shall be straight link except that Liberty coil chain and Liberty machine chain may be made in both straight and twist link and Liberty truck chain may be made in twist link only.







finish on such chain may be as specified by the purchaser. Types refer to classification of types in Federal Specification RR-C-271.

(a) Wire Chain

Type	Permitted sizes
Class 1 (single-loop pattern) chain.	#4, #2, #1/0, #2/0, #3/0, #4/0, #5/0, #6/0, #7/0.
Class 2 (double-loop pattern) chain, style 1.	#7, #4, #3, #2, #1, #2/0, #4/0, #6/0, #8/0, #10/0.
Class 2 (double-loop pattern) chain, style 2.	#4, #2, #1/0, #2/0, #3/0, #5/0.
Class 7, single jack chain.	#19, #18, #16, #14, #12, #10, #8, #6, #5.
Class 8, double jack chain.	#19, #18, #16, #14, #12, #10.
Class 10, register chain (safe chain).	#18, #16, #14, #12, #10.
Pump chain.	#6.

(b) Flat Metal Chain

Class 3, sash chain.	#8, #8B, #25, #30, #35, #40, #45, #50, #60, #65.
Class 4a, flat link (long pitch) and Class 4b, flat link (short pitch) chain.	#31, #33, #35, #12, #9 1/2, #91, #8, #7, #3, #113, #330, #350, #4-0 Special, #210, #280.
Class 6, safety chain (plumbers chain).	#00, #0, #1.

TABLE V—WELDLESS CHAIN ASSEMBLIES

All weldless chain assemblies shall be made only from those types of chain permitted to be manufactured in Table IV and shall be further limited in sizes and specifications as stated below. Weldless chain assemblies may be finished as specified by the purchaser.

**Tie out chains:** Double-loop pattern chain only may be used; sizes #1 and #2/0 only; permitted lengths 20' and 30' only. Link dimensions on tie out chains may exceed regular dimensions for these sizes in double-loop pattern chain.

**Halter chains:** Double-loop pattern chain only may be used; sizes #1, #2/0, #4/0, and #6/0; permitted lengths 4 1/2' and 6'.

**Cow ties:** Ohio pattern; may be made out of double-loop pattern chain only with or without swivel; size #2/0 only; permitted length 4 1/2'.

**Anti-spreader chains:** Double-loop pattern only may be used; size #2/0; permitted lengths 38" and 42" only.

**Kennel chains:** Double-loop pattern only may be used; size #2/0; permitted lengths 6' and 9'. Kennel chains may be manufactured only for use with work dogs employed for purposes of training or hauling sledges.

TABLE VI—TIRE CHAINS

(a) Definitions. For the purpose of this table:

- (1) "Tire chain" means:
  - (i) A complete chain assembly, whether or not reinforced, made for use on a tire of a passenger auto, commercial vehicle, or farm tractor in order to increase the traction of the tire.
  - (ii) Any cross chain, lock, hook, plate, or side chain, whether or not reinforced, made for use in repairing a complete tire chain.
  - (iii) Any chain assembly of the strap-on or single-chain type.
- (2) "Passenger auto" means any passenger vehicle propelled by an internal combustion engine and having a seating capacity of less than eleven persons.
- (3) "Commercial vehicle" means any light, medium, or heavy motor truck, tractor, truck trailer, off-the-highway motor vehicle, passenger carrier having a seating capacity of eleven or more persons, or tractor other than a farm tractor.

(b) Restrictions on manufacture of tire chains. (1) Tire chains shall be made only for use on the following sizes of tires:

(i) Tires for passenger auto: 6.00-16 (in "light car special" type only); 6.50-16; 7.00-16; 7.50-16.

(ii) Tires for commercial vehicles other than farm tractors: 6.00-16, 6.50-20/32 x 6; 7.00-20; 7.50-16; 7.50-17; 7.50-20/34 x 7; 8.25-20; 9.00-20; 9.75-20.

(iii) Tires for farm tractors: as required. (2) All tire chains produced for passenger autos or commercial vehicles must be of the types called A, C, G, and M in Tire Chain Specifications No. 7140, copyrighted by The Chain Institute, Inc., Chicago, Illinois, published July 1, 1940.

(3) Tire chains in types and sizes other than those permitted by paragraphs (b) (1) and (b) (2) may also be made when individually ordered for delivery by the producer directly or indirectly to the consumer.

[F. R. Doc. 45-11932; Filed, July 3, 1945; 11:31 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, as Amended July 3, 1945]

SPECIAL PROGRAMS: TEXTILE, CLOTHING AND RELATED PRODUCTS

Section 3290.120 Conservation Order M-328B is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of textiles, clothing, leather and related products for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

Par.	Scope
(a) Explanation.	Definitions
(b) (1) Special programs.	(b) (1) Special programs.
(b) (2) Priorities assistance.	(b) (2) Priorities assistance.
(b) (3) Manufacturers.	(b) (3) Manufacturers.
(b) (4) Base period.	(b) (4) Base period.
(b) (5) Base period manufacturers.	(b) (5) Base period manufacturers.
(b) (6) Price.	(b) (6) Price.
(b) (7) Item.	(b) (7) Item.

Obtaining Priorities Assistance

- (c) Rules applicable to obtaining priorities assistance.
- (d) Special provisions to assure meeting special programs.
- (e) Addition of items to a schedule.

Use of Priorities Assistance

- (f) Rules applicable to manufacturers granting priority assistance.
- (g) Application and extension of preference ratings.

Miscellaneous Provisions

- (h) Special rules for special programs.
- (i) Equitable distribution by manufacturers.
- (j) Records and reports.
- (k) Applicability of regulations.
- (l) Appeals.
- (m) Violations.
- (n) Communications.

§ 3290.120 Conservation Order M-328B—(a) Explanation. This order (including the schedules and supplements) states the rules under which apparel and other textile end-product manufacturers may get preference ratings to make

listed essential items under special programs. Rules are also stated for producers of cotton and wool machine knitting yarns. This Order M-328B states the general rules relating to the obtaining of priorities assistance and the use of such priorities assistance after it has been obtained.

(b) Definitions. For the purpose of this order and its schedules,

(1) "Special program" means a program approved by the War Production Board for the production with priorities assistance and the distribution of any item on a schedule of this order.

(2) "Priorities assistance" includes preference ratings, allocations and directions.

(3) "Manufacturer" means any person engaged in the United States in manufacturing for sale any item listed in a schedule of this order from material which has not been supplied directly or indirectly by the person acquiring the item.

A person is also deemed a "manufacturer" for the purpose of using a preference rating under this order, if he is engaged in the business of selling and having manufactured in the United States for his account an item listed in a schedule of this order from material which he owns or material which he directly or indirectly supplies to a contractor or contractors. In no event shall more than one person be deemed a "manufacturer" of the same units which one person fabricates in whole or in part and for which another person supplies the material.

(4) "Base period" means the calendar quarter of 1943 corresponding to the quarter in which the materials are to be delivered for which priorities assistance is requested.

(5) "Base period manufacturer" means a manufacturer who applies for priorities assistance to make an item of which he was a manufacturer in the base period.

(6) "Price", unless otherwise stated, means the list price of the manufacturer to an unaffiliated purchaser. A purchaser is deemed affiliated with a manufacturer if he is an owned or controlled outlet, or is an outlet which owns, controls or is subject to common control with the manufacturer. A manufacturer who sells directly to consumers or to an affiliated purchaser may use two-thirds of the retail selling price as a manufacturer's equivalent selling price in applying for priorities assistance.

(7) "Item", unless otherwise designated, means the article produced for civilian sale, of the type, size and other description listed in a schedule.

(c) Rules applicable to granting priorities assistance. The War Production Board will grant priorities assistance to manufacturers to get yarn or fabrics to make items for special programs under schedules of this order. Applications for priorities assistance should be submitted by manufacturers and preference ratings will be granted in accordance with the following rules:

(1) Applications for priorities assistance must be filled out and filed with the Textile, Clothing and Leather Bureau, War Production Board, Washington 25,



D. C., by manufacturers on Form WPB-3732 (revised) for the production of items listed on a schedule of this order, and postmarked at least forty-five days before the calendar quarter for which assistance is requested. Such applications must be prepared in accordance with the specific instructions issued with respect to the schedule listing the item for which application is made. Copies of Form WPB-3732 (revised) may be obtained from any War Production Board office.

(2) At least fifteen days before the beginning of each quarter, applicants will be notified by the War Production Board of the grant or denial of their applications.

(3) For the third quarter of 1945, applications should be filed and postmarked by July 14, 1945. Base period manufacturers who file their applications by then, are entitled to use preference ratings in advance of the receipt of their authorizations to the extent set forth in each of the schedules.

(4) Where priorities assistance is needed for component parts in order to complete the production of an item or items in a schedule, special provisions for obtaining such priorities assistance are set forth in the schedule.

(5) If the applications are filed for more material than is available for a particular item under any special program, grants of priorities assistance will generally be made on the basis of each applicant's past consumption and inventory of fabrics or yarn and the quantities available. Applications from persons other than base period manufacturers will generally be granted only if the supply of materials is in excess of the amounts needed to permit the continued operation of base period manufacturers at a reasonable economic operating level. Where special criteria are applicable to the granting of priorities assistance for a special program under one of the schedules of this order, such criteria will be set forth in the appropriate schedule.

(6) Applicants who are not base period manufacturers must also conform to the following rules before they will receive consideration under any special program:

(i) They must submit with their application the following certification signed as provided in Priorities Regulation 7:

The undersigned certifies, subject to the criminal penalties of section 35 (A) of the United States Criminal Code, that he has met all the requirements of the regulations of the Office of Price Administration for establishing the ceiling price for the items for which he is applying for priorities assistance.

The standard certification provided for in Priorities Regulation 7 may not be used instead.

(ii) They must file with their applications the specifications of the item for which application is made. If, from the specifications submitted, the War Production Board is unable to determine the quality standards in the item for which application is made, it may request that a sample be submitted. If application is granted, the applicant must meet the specifications filed. The War Production Board will, if it determines the specifica-

tions or samples to be unsatisfactory, deny the application. Once an application is granted on the basis of specifications or samples submitted, such applicant need not file specifications or samples for the same item in succeeding quarters.

(7) An applicant who does not own or control the facilities on which it is proposed to manufacture items applied for, must submit with his application form a signed statement from each person who owns or controls the facilities on which the items are to be produced. This statement must contain the following information:

- (i) Each operation to be performed.
- (ii) The maximum quantity of each item applied for which he has agreed to produce for the applicant.
- (iii) That he in fact owns the facilities or controls them under a rental or lease contract.

(d) *Special provisions to assure meeting special programs.* The War Production Board must be able to rely on the actual production of the items needed to fill all special programs under schedules of this order. When applications are not sufficient to meet the special program for any item, it may be necessary to grant priorities assistance to an applicant for more of certain items than are requested. In general this will be done without granting more assistance for all items than is requested but by reducing the amount granted for some items and increasing others over the amount requested. If the War Production Board finds it necessary to meet a program it may issue production directions requiring a manufacturer to produce items even though he may not have requested assistance for them. If any such direction is issued to a manufacturer, he may appeal in the manner explained in paragraph (g) (4) of Order M-328.

(e) *Addition of items to a schedule.* During any calendar quarter, items may be added to a schedule of this order. Manufacturers wishing to apply for priorities assistance for such items must submit application on Form WPB-3732 (revised) within fifteen days after the date the items are added to the schedule.

(f) *Rules applicable to manufacturers granted priorities assistance.* (1) A manufacturer who is assigned a preference rating under a schedule of this order may use that rating only to get the yarn or fabrics specified and may not use the yarn or fabrics for any purpose except to make the item for which the rating was assigned.

(2) Preference ratings granted under a schedule of this order may be used only to obtain delivery of yarn or fabric in the calendar quarter for which the priorities assistance was granted. In addition, all persons receiving such assistance must, as far as practicable complete in that quarter all the items for which the assistance was given.

(3) All items produced from material obtained with a rating assigned under a special program shall meet the same basic specifications, including standards of quality and workmanship, used by the applicant during the base period in producing such items for sale at the same

prices, taking into account any subsequent adjustments by the Office of Price Administration.

(4) No manufacturer who uses a rating assigned under a schedule of this order may accept delivery of any finished material, whether rated or unrated, which together with material already on hand will give him more than a forty-five day inventory of the same material at current rate of operations, or a practicable minimum working inventory, whichever is less. Such material on hand includes material wherever located if title has passed to the manufacturer, except materials in transit to him from his supplier. This rule does not prevent acceptance of the minimum quantity in which such material can be procured or the acceptance in good faith of a delivery which is received before the date requested, if the date actually requested would conform with the rule.

(5) Items produced from material procured with priorities assistance shall, to the extent called for by the customers' orders, be made in the same size ranges and in the same proportion of size ranges and assortment of sizes as the manufacturer produced in 1943. If he did not produce the item in 1943, he must comply with the size ranges and assortments of sizes which the War Production Board may specify for the particular item.

(g) *Application and extension of preference ratings.* The preference ratings assigned in this order shall be applied and extended as provided by Priorities Regulation 3 and Order M-328, but subject to the limitations stated in this order. A manufacturer who applies a rating assigned by this order must use the following certification signed manually, or as provided in Priorities Regulation 7:

The undersigned purchaser whose War Production Board case number is \_\_\_\_\_ hereby represents to the seller and to the War Production Board, subject to the criminal penalties of section 35 (A) of the U. S. Criminal Code, that he is entitled to apply or extend the preference rating indicated opposite items shown on this purchase order and that such application or extension is in accordance with Priorities Regulation 3 as Amended, with the terms of which the undersigned is familiar; that the textiles covered by this purchase order and all other purchase orders placed by him under this number do not exceed his assigned quota under Order M-328B, and that the textiles will be incorporated into an item for which this case number is assigned.

\_\_\_\_\_  
(Name of Purchaser)

\_\_\_\_\_  
(Address)

By \_\_\_\_\_  
(Signature and Title of Duly Authorized Officer)

\_\_\_\_\_  
(Date)

The standard certification provided by Priorities Regulation No. 7 may not be used instead.

For deliveries in third calendar quarter of 1945 authorized by a schedule of this order before issuance of an authorization on form WPB-3732 (revised), the serial or case number may be omitted and this statement added to the certi-



fication: "These textiles will be used to make item No. — listed in Schedule — of M-328B."

(h) *Special rules for special programs.* Other rules may be specified for a special program in a schedule of this order. If the rules set forth in a schedule differ from those specified in the order, the provisions of the schedule shall govern.

(i) *Equitable distribution by manufacturers.* (This paragraph does not apply to sales by retailers, inasmuch as the Fair Distribution Policy for retailers is defined in Declaration of Policy of July 15, 1943). Every manufacturer who uses a preference rating assigned under this order to make any item shall distribute his production of the item (including any production of the same item which he may have made without a rating) as follows after June 30, 1945:

(1) Up to 90 percent of civilian sales of each item in each calendar quarter must be made to customers who purchased that item or any other textile product for civilian sale, from the manufacturer during the corresponding quarter of 1943, to the extent that orders are received from such customers. However, the manufacturer need not sell any 1943 customer an amount which will be a greater percentage of the manufacturer's total sales for the period than the percentage of the manufacturer's total sales which were made to the same customer in 1943.

(2) As between such 1943 customers, each customer shall be entitled to a dollar share of the civilian sales referred to in (1) above up to the percentage which the customer's total purchases from the manufacturer in the corresponding quarter of 1943 was of the manufacturer's total sales in that quarter.

(3) Any manufacturer may base his distribution under this paragraph on his style seasons instead of calendar quarters, but must treat all customers on the same basis. A manufacturer shall not be required to sell smaller than commercial quantities. The manufacturer may not discriminate against any of his customers in notifying the trade that he has the items available for sale or in making deliveries or allocating his production. If the manufacturer was not, in 1943, in the business of manufacturing an item for which a preference rating is assigned under this order, he shall not sell to any one purchaser more than 10 percent of his total production of any item he produces with a rating (including any part of his production of the same item which he may have made without the rating). Purchasers who are subject to common control shall be deemed one purchaser. Further specific directions may be issued as to the distribution of items.

(4) The above provisions are in addition to the provisions of paragraph (d) of General Conservation Order M-328.

(j) *Records and reports.* (1) Each person who uses a preference rating assigned under this order shall maintain at his regular place of business, accurate records of the quantities of material for which he is authorized under this order

to apply preference ratings, the quantities ordered with the use of such ratings, the quantities received and the quantities put into process. He shall also maintain records of the quantities of each item manufactured from the material obtained with the rating. All these records shall be preserved for a period of not less than two years and shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(2) The reporting and application requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subject to the approval of the Bureau of the Budget under this act, all persons affected by this order shall execute and file with the War Production Board such other reports as the War Production Board shall from time to time require.

(k) *Applicability of regulations.* Except as otherwise provided in this order, this order and all transactions affected thereby are subject to all applicable regulations of the War Production Board as amended from time to time.

(l) *Appeals.* Any person who considers that compliance with any restriction of this order or its schedules, would work an exceptional and unreasonable hardship, may appeal for relief. The appeal shall be made by filing a letter in triplicate with the Textile, Clothing and Leather Bureau, War Production Board, Washington 25, D. C., referring to the particular provision appealed from, and stating fully the grounds of the appeal.

(m) *Violations.* Any person who wilfully violates any provisions of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priority assistance.

(n) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Bureau, Washington 25, D. C., Reference M-328B.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-11933; Filed, July 3, 1945;  
11:35 a. m.]

#### PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Supp. XIII to Schedule A, as Amended July 3, 1945]

The following Supplement XIII to Schedule A is issued pursuant to Conservation Order M-328B § 3290.120a:

#### CHILDREN'S SNOW SUIT PROGRAM NO. 2

Item No.		Sizes	Table I prices	Table II prices
1	Snow or Ski Suits—(Toddlers).....	1 to 4....	\$4.75	\$7.75
2	Snow or Ski Suits—(Children's).....	2 to 6X....	6.75	10.75
3	Snow or Ski Suits—(Children's).....	3 to 8....	6.75	10.75
4	Snow or Ski Suits—(Children's).....	7 to 14....	8.75	12.75
5	Legging Sets or Coat and Ski Pants Sets—(Toddlers).....	1 to 4....	6.75	9.75
6	Legging Sets or Coat and Ski Pants Sets—(Children's).....	2 to 6X....	8.75	12.75
7	Legging Sets or Coat and Ski Pants Sets—(Children's).....	3 to 8....	8.75	12.75
8	Legging Sets or Coat and Ski Pants Sets—(Children's).....	7 to 14....	10.00	14.75
9	Separate Ski Pants—(Children's).....	2 to 6X....	2.50	3.75
10	Separate Ski Pants—(Children's).....	3 to 8....	2.50	3.75
11	Separate Ski Pants—(Children's).....	7 to 14....	3.25	4.75

#### FABRICS AND COMPONENTS FOR CHILDREN'S SNOW SUIT PROGRAM NO. 2

1. Melton type fleeces or napped fabrics (woven), 19 to 26 ounces. (54 inches to 60 inches width), 25 percent or more of wool by weight.
2. Knitted fleeces or knitted napped fabrics. (54 inches to 60 inches width).
3. Rayon taffeta or twill, for coat linings only in legging sets.
4. Broad woven cotton flannel in plaids, stripes and plain shades.
5. Soft filled sheeting for interlining to be used with rayon linings only.
6. Wristlets and anklets for items 1, 2, 3 and 4.
7. Anklets only for Items 5 to 11 inclusive, if needed.
8. Two zippers for each legging set, snow or ski suit. Zippers to be used only at the anklets of the leggings or ski pants. (5 inches through 9 inches inclusive).
9. ¼ yard buckram or canvas for each garment.
10. ¼ inch or ⅜ inch of #17 unbleached tape not more than 2 yards.
11. ¾-inch bias binding for bottoms of coats of legging set or coat and ski pants if made as open bottoms up to 1½ yards per garment.
12. ¼-inch elastic for belt of ski pants or leggings. Not more than 8 inches per garment.

#### FILING OF APPLICATIONS AND STANDARDS FOR PROCESSING THEM

(a) Application on Form WPB-3732 (set forth separately and identify in column (f) of Form: (1), 1944 production on your facilities for your own account; (2), 1944 production on your facilities for the account of others; (3), 1944 production of others for your account).

All applicants under this program who supply production figures in column (f) of Form WPB-3732 as prescribed in paragraph (a), subparagraph (2) above, "1944 production on your facilities for the account of others", shall be subject to the provisions of paragraphs (i) and (k) of this supplement to the extent of such production and must therefore submit the information required in paragraph (i) in writing on or before May 15, 1945, with respect to such production. This information will be attached to and made a part of the application.

(b) Application must be filed on or before April 15, 1945.

(c) These items will be required to be produced during the second, third and fourth quarters of 1945 in as near equal installments as deliveries of the fabric will permit.

(d) Applications will be considered only for the fabrics and components specified



above. Applications calling for other fabrics or components will be denied.

(e) Applicants should base their estimated production on their present labor and machinery. If the quantity applied for is greater than that produced in 1944, a statement must be submitted describing facilities which are available now and were not used for this purpose in 1944.

(f) Priorities assistance will be granted to the extent of 60 percent of the fabric available for this program to persons producing these items at or below prices indicated in Table I above, and the remaining 40 percent will be allocated to those producing these items in prices at or below those indicated in Table II above. This does not, of course, authorize any person to exceed his OPA ceiling price for any item in this program. (For example: Item (1), Snow Suits or Ski Suits (Toddlers'), sizes 1 to 4, at least 60 percent will be allocated to persons producing at \$4.75 or below and the remaining 40 percent will be allocated to those producing from \$4.76 up to and including \$7.75).

(g) Applicants when filing Form WPB-3732 must provide the following information:

(1) The item he wishes to produce, such as snow or ski suit, legging set or coat and ski pants set, or ski pants. Also identify the item by number—for example, snow or ski suit in size range 1 to 4 is #1—leggings set or coat and ski pants set in size range 1 to 4 is #5, etc.

(2) The size range.

(3) Price at which sold.

(4) Quantity in units of each item in each size range and in each price range.

(5) Type of materials used (such as melton type woven fleece or knit back fleeces). In addition to the information enumerated herein all other questions required by Form WPB-3732 must be answered.

(h) Each applicant who produced during the base period (1944) items listed in this program, must in producing such items from materials obtained with a rating under this program, meet the same specifications, including standards of quality, workmanship, inspection, pressing, folding, and all other operations pertinent to the preparation of the completed garments for marketing, used by the applicant in producing such items sold at the same or nearest higher price during the year 1944.

(i) Each applicant who did not, during the base period, produce the items for which he makes application, shall file with his application the specifications (including the proposed sales price) of the item he proposes to manufacture and, if required by the WPB, a sample. If his application is granted, the applicant must meet the specifications filed. These specifications shall include, but not be limited to, specifications as to dimensions, type of fabric, and stitches per inch, as well as such other essential points as may insure a quality garment, and the price at which the applicant proposed to sell each such item.

(j) Each applicant must include a statement under the section entitled "remarks" on Form WPB-3732 that he has complied with the OPA regulations regarding the prices he has included in columns (d) and (e) of the form.

(k) Applicants desiring to participate in the Children's Snow Suit Program No. 2 who did not produce such items during 1944 shall not sell more than 10 percent of the quantity of items produced with priority assistance granted under this program to any purchaser. Purchasers who are subject to common control shall be deemed a single purchaser.

(l) Application of any person able to produce the particular items in this program will be entertained.

(m) If the applications exceed the quantity of production of a particular item required under this program, grants of priority assistance will be apportioned equitably

on the basis of production during 1944. However, any person who did not produce the item in 1944 and who wants to make it or whose facilities for the production of the item have increased since 1944 or who wants to increase the production of the item may apply for priorities assistance under the program, but his application will not be entertained unless it is accompanied by a signed statement setting forth the facilities or increased facilities he owns or has under contract for his exclusive use to produce the item(s) applied for within the program period. Where facilities or increased facilities are available because of a change from the production of other items, he must state whether production will be reduced on any other items and specify the items. Such applications will be granted on an equitable basis.

(n) [Deleted July 3, 1945.]

(o) Applications which do not provide completely and accurately the information required may be denied.

(p) Producers who deliver knitted fleeces, knitted napped fabrics, knitted wristlets or

knitted anklets on or after July 3, 1945 on orders bearing ratings assigned under this program may extend those ratings to get yarn in the manner explained in Priorities Regulation 3 and Order M-328.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-11935; Filed, July 3, 1945; 11:35 a. m.]

## PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Supp. XV to Schedule A, as Amended July 3, 1945]

### KNIT GOODS PROGRAM

The following Supplement XV to Schedule A is issued pursuant to Conservation Order M-328B (§ 3290.120a):

KNIT GOODS PROGRAM No. 6

Item No.	Items	Sizes	Yarns
<i>Hosiery</i>			
1	Boys' half socks—Boys' crew socks.....	7-11½	Cotton.
2	Boys' golf hose.....	7-11½	Do.
3	Children's 5/8, 7/8, and long ribbed hose.....	6-10½	Do.
4	Infants' long ribbed hose.....	3-5½	Do.
5	Infants' half socks.....	4-6½	Do.
6	Infants' and small children's anklets.....	4-8½	Do.
7	Men's work socks.....	Finished wgt. not less than 1½ lbs. per dozen.	Do.
<i>Underwear</i>			
8	Boys' knitted briefs or shorts (specify which).....	6-16	Do.
9	Children's heavyweight union suits.....	2-12	Do.
10	Children's waist suits.....	2-12	Do.
11	Children's vests, pants and bloomers.....	2-16	Do.
12	Children's and infants' sleepers or gowns (specify which).....	0-12	Do.
13	Infants' long and short sleeve shirts.....	0-6	Do.
14	Infants' bands.....	0-6	Do.
15	Infants' panties.....	1-6	Do.
16	Men's heavyweight union suits.....	34-46	Do.
17	Boys' heavyweight union suits.....	6-16	Do.
18	Men's heavyweight undershirts.....	34-46	Do.
19	Men's heavyweight drawers.....	32-44	Do.
<i>Outerwear (machine knitted)</i>			
20	Infants' sweaters and sacques.....	0-3	Worsted or worsted and cotton.
21	Children's sweaters.....	2-8	Do.
22	Boys' sweaters.....	8-14	Do.
23	Girls' sweaters.....	8-14	Do.
24	Infants' headwear.....		Woolen or woolen and cotton.
25	Children's caps, toques and helmets.....		Do.
26	Infants' and children's mittens.....		Worsted or worsted and cotton.
27	Infants' booties.....		Do.
28	Infants' shawls, crib blankets and carriage covers.....		Worsted or worsted cotton.
29	Infants' separate leggings.....		Do.
30	Men's utility sweater coats <sup>1</sup> .....	34 and up, including out-sizes.	Do.
31	Women's utility sweater coats <sup>1</sup> .....	36 and up, including out-sizes.	Do.
32	Boys' and girls' knit suits.....	2-6X	Cotton.
33	Infants' creepers.....	6, 12, 18 mos.	Do.

<sup>1</sup> These garments are for laborers and workers both in and out of doors who need additional warm clothing in their regular occupation. They are to be of Bradford Worsted Machine Knitting Yarn in quality up to 48's wool or other machine knitting yarn however manufactured, incorporating Bradford Wool Top not finer in quality than 48's wool. Such worsted may be used in combination with cotton, the finished garments to contain not less than 25% wool fibre by weight.

Men's utility sweater coats shall conform to model "D" or "E" only in Schedule A of WPB Order L-310.

Women's utility sweater coats shall conform to model "F" or "G" only in Schedule B of WPB Order L-310.

Application Form WPB-3732.

Filing date (April 12, 1945).

(a) These items are required to be produced on or before July 31, 1945.

(b) Priorities assistance will be given only for the yarn specified above with respect to each item. Assistance for worsted yarn will

be limited to yarns spun on the Bradford system.

(c) Where necessary, additional priorities assistance may be given for the procurement of sewing thread, cambric, sateen, twill, jean cloth and similar cotton broad woven fabrics customarily used for facings, bindings and stays, in quantities necessary for the number of garments to be produced under this program. Requests for this additional priorities assistance should be stated on Form WPB-3732.

(d) Each applicant whose application is granted shall produce a portion of his total



production of each item for sale at each of the prices (or any increased prices subsequently granted by the Office of Price Administration for items of the same specifications), at which he sold such item in the corresponding calendar quarter of 1943 (this is called "base period"). The proportion of his production of each item for sale at each such price to his entire production of the item under the program shall be the same as the proportion of his production of the item for sale at each such price, was to his total production of the item in the base period. The whole or part of a quota of each item to be sold at the base period price may be shifted from a higher to a lower price, but not from a lower to a higher price.

(e) All items produced from materials obtained with a rating assigned under this program shall meet the same specifications (including quality and workmanship) used by the applicant in producing the item sold at the same or nearest higher price during the base period.

(f) Any person who did not produce the item in the corresponding calendar quarter of 1943 and who wishes to apply for priorities assistance under this program must certify to the War Production Board that he has complied with the OPA regulations regarding pricing of the items for which he is making application for priorities assistance under this program. He must use substantially the following certification, signed as provided in Priorities Regulation 7:

The undersigned certifies, subject to criminal penalties of section 35 (A) of the United States Criminal Code, that he has complied with the OPA regulations regarding pricing of the items for which he is making application for priorities assistance under this program.

The standard form of certification given in Priorities Regulation 7 may not be used instead. This certification must accompany the applicant's Form WPB-3732.

(g) Each person who applies for priorities assistance under this program must, if he is the owner of the facilities, so state under the section entitled "Remarks" in Form WPB-3732. If he is not the owner of the facilities, he must state, under the "Remarks" section, what facilities he controls to a stated capacity for the production of the particular item and the number of such items the owner of the facilities has contracted to produce for the applicant during April, May and June, 1945.

(h) Each person who applies for priorities assistance under this program for any item from 20 through 33, inclusive, must state under the section entitled "Remarks" the total poundage of machine knitting yarns used by him for all purposes for the year 1943 on knitted underwear. No person applying for any item from 20 through 33, inclusive, shall apply for a total number of dozens of any single item or combination of items which will require a greater yarn poundage than one-quarter of such 1943 yarn consumption figure. However, any person who did not use machine knitting yarn for knitted underwear during 1943 may apply for a reasonable amount of yarn, and his application will be considered on an equitable basis.

(i) Any person not owning production facilities or not having control of the owner's production facilities may apply for priorities assistance under this program. Such person must state in detail the reasons why he should be granted priorities assistance under this program.

(j) [Deleted July 3, 1945.]

(k) Applications which are not completely and accurately filled out may be denied.

(l) Effective July 16, 1945, any manufacturer of items covered by this program who has any unfilled orders for yarn bearing an AA-3 rating assigned under this program, must either (1) treat those orders as bearing an AA-3 rating he has been assigned un-

der Schedule B of Order M-328B for the same purpose by furnishing his supplier with the certification described in paragraph (g) of Order M-328B, or, (2) if he is not entitled to place such a rating under Schedule B to M-328B he must cancel the orders or unrate them.

(m) This direction shall expire on July 31, 1945, unless previously extended.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-11936; Filed, July 3, 1945;  
11:35 a. m.]

#### PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule B]

#### SPECIAL PROGRAM FOR COTTON AND WOOL MACHINE KNITTED ITEMS

§ 3290.120b. *Schedule B to Order M-328B*—(a) *Explanation.* This schedule states the special rules in addition to these set forth in Order M-328B for manufacturers of cotton and wool machine knitted items to get an AA-3 preference rating for yarn to make the items listed in this schedule.

(b) *Definitions.* For the purpose of this schedule, (1) "Yarns" means all yarns applicable to machine knitting whether oil, grey, bleached, colored, mercerized, glazed, polished, single, plied, cabled or braided, except yarns made of or containing continuous filament synthetic fiber.

(2) "Cotton yarn" means yarn spun on the cotton system and not containing wool fiber.

(3) "Worsted yarn" means yarn spun on the Bradford or French Systems.

(4) "Woolen yarn" means yarn containing wool fiber, and spun on the woolen system.

(c) *Special requirements for obtaining priorities assistance.* (1) Separate applications must be filed for each section of Preference Rating Schedule I. For example, a manufacturer who makes both underwear and outerwear files one application for all items under section B—Underwear, and another application for all items for which he applies under section C—Outerwear. Four copies of form WPB-3732 (revised) should be filed for each section in accordance with the rules stated in paragraph (c) of Order M-328B.

(2) The quantity of yarn for which a manufacturer may apply for priorities assistance for the production of any item or combination of items under a single section of this schedule is limited to the following amount which is called his "yarn eligibility". He must compute the total poundage of yarns as defined in paragraph (b) (1) he consumed in the base period in the production of all articles in a single class of knit goods (that is, either hosiery, underwear or outerwear), whether or not the articles are included in the relevant section of this schedule. He then must deduct the poundage to be used to fill rated orders for all articles in that class in the quarter

for which he requests priorities assistance. The remainder is his "yarn eligibility". The applicant must state under the "Remarks" section of his application form WPB-3732 (revised), the poundage of yarns he consumed in the base period in the production of that class of knit goods, and the total poundage of yarn to be used to fill rated orders in the quarter for which he applies.

(3) In making application on form WPB-3732 (revised), each base period manufacturer must apply with respect to each item for which application is made, as follows:

(i) He must apply for yarn for each price of the item at which he produced it in the base period, irrespective of weight or style (except for heavyweight underwear, where he must apply for each price for each weight he made) unless the facilities utilized for the production of the item at a particular price in the base period are devoted to the production on orders received from Government Procurement Agencies or have been sold or otherwise disposed of. When such facilities are no longer available the applicant must explain it in the "Remarks" section of form WPB-3732 (revised).

(ii) The quantity of an item for which application is made at each price shall be in the same proportion to the total quantity of the item applied for as the quantity produced at each similar price in the base period was to his total production of the item in the base period. For example, if an applicant made in the base period 300 dozen girls' sweaters, of which 100 dozen (or  $\frac{1}{3}$ ) were priced at \$11.50 per dozen, 100 dozen (or  $\frac{1}{3}$ ) at \$15.75, and 100 dozen (or  $\frac{1}{3}$ ) at \$21.00, and he wishes to apply for girls' sweaters under this program,  $\frac{1}{3}$  of whatever total quantity he applies for must be at each of these base period prices. To base period prices may be added any increase subsequently granted by the Office of Price Administration.

(iii) The whole or any part of an application for an item may be shifted from a higher to a lower price than required under the above rule, but not from a lower to a higher price unless the weighted average price of the total number of units applied for is at or below the weighted average price of the total number of units of that item delivered in the base period.

(iv) In reporting production by price on form WPB-3732 (revised), items sold as seconds or as close-outs shall be reported under the price it was intended they would be sold when produced.

(v) Items in this schedule not included in a category of O. P. A. Supplementary Order 108 are exempt from the provisions of this paragraph (c) (3).

(4) A base period manufacturer who files form WPB-3732 (revised) for the third calendar quarter of 1945 by July 14, 1945, may, as soon as he files his application, apply an AA-3 rating for the purchase of yarn for delivery in that quarter for incorporation into the items for which application is made. He may do so only for an item he made in the base period and only for  $33\frac{1}{3}\%$  of the quantity of yarn applied for with respect to



any item. Yarn purchased under this provision shall be deducted by the manufacturer from the total quantity for which priorities assistance is ultimately granted on Form WPB-3732 (revised). If the applicant does not ultimately receive a grant of the entire quantity thus rated, he shall, upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant. Base period manufacturers of heavyweight knit underwear and men's cotton work socks who have applied an AA-3 rating for the purchase of yarn for delivery in the third quarter of 1945 under Directions 14 or 17 to Order M-328 may not also apply that rating under this paragraph for the items covered by those directions.

(5) Manufacturers who did not produce in the base period the items applied for on form WPB-3732 (revised) may not use any preference ratings under this schedule until the War Production Board has assigned them a quota on that form.

(6) Manufacturers who did not produce the item in the base period must state in the "Remarks" section on form WPB-3732 (revised) the assortment of sizes which he proposes to produce for each size range applied for.

(d) *Grants of priorities assistance.* Grants to base period manufacturers will be made pro rata to the extent that yarn is available, based upon the quantity applied for for each item. Persons who are not base period manufacturers for the particular items applied for, but who have yarn eligibility under the rules stated in paragraph (c) (2) for the class in which the items applied for belongs, will also be granted assistance pro rata on the basis of the quantity applied for, if they comply with the provisions of

paragraph (c) (6) of Order M-328B and paragraph (e) of this schedule.

(e) *Pricing for other than base period manufacturers.* Applications of persons other than base period manufacturers for priorities assistance under this schedule will be granted only if the price at which the item will be sold is at or below the weighted average price for applicants who are base period manufacturers, unless the facilities are needed to meet the quantitative requirements of the program. In this case such applications will be considered on the basis of next higher price increments above the average price of the base period manufacturer applicants.

(f) *Priorities assistance for component parts.* Persons applying for priorities assistance under this schedule may apply for cotton or rayon fabrics, ribbons, tapes, braids or stays, sewing thread and buttons in quantities needed for incorporation into the number of units for which priorities assistance is requested. Applications for cotton materials shall be made on form WPB-2842 filed with the Textile, Clothing and Leather Bureau, War Production Board, Washington 25, D. C., and for rayon materials and buttons on form WPB-541 filed with the Textile, Clothing and Leather Bureau, War Production Board, Washington 25, D. C. Such applications will be approved to the extent of available materials and to the extent that allocations are made for the production of items.

(g) *Provisions in case of governmental cut-backs.* At any time during any calendar quarter a manufacturer who has received cancellations or cut-backs on military contracts or orders placed by an agency of the U. S. Government, or who during the quarter has production facilities made available, may apply to the War Production Board on Form

WPB-3732 (revised) for priorities assistance to manufacture items listed in this schedule. Such applications will be approved to the extent of available materials and the need for additional production of the items applied for.

(h) *Special restrictions on purchase of yarn.* No manufacturer shall purchase or accept delivery of a yarn to make any item for which a rating for that yarn is assigned to him in this schedule, unless he uses that rating. The provisions of this paragraph do not apply to purchases for direct or ultimate delivery to, or for incorporation into any product for ultimate delivery to the U. S. Army or Navy, the Maritime Commission or War Shipping Administration.

(i) *Special rules for integrated mills.*

(1) Beginning July 3, 1945, no manufacturer of items on this schedule who operates spinning machines (i. e., roving, ring, mule or converted twister spindles) in the production of yarn shall use or deliver to others any yarn except to fill his own or other persons' rated orders.

(2) Beginning July 3, 1945, no producer of items in this schedule made of knitting yarn produced by him shall fill unrated orders or orders rated AA-3 or lower from others for yarn until he has first produced the yarn required to fill the requirements of his production schedule for items assigned to him by the War Production Board under this schedule.

(3) Grants of priorities assistance to persons subject to the restrictions of this paragraph (i) will be made to conform to their spinning facilities, as far as practicable.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### PREFERENCE RATING SCHEDULE NUMBER 1

Applicants shall submit separate applications for items in each section (A, B, and C) of this schedule. Where more than one category of apparel is included in an item, applications for each category must be listed separately. For example, Item B-15 covers women's vests, pants and bloomers. Vests should be applied for on a separate line from pants, etc.]

#### SECTION A—HOSIERY

Item No.	Items	Sizes	Yarns	Item No.	Items	Sizes	Yarns
<i>Infants' and children's hosiery</i>				<i>Women's hosiery</i>			
A-1	Infants' long ribbed hose.....	3-6½	Cotton.	A-18	Women's full fashioned rayon hose, cotton reinforced toe, heel and sole.	8 and above.....	Cotton.
A-2	Infants' half socks.....	4-7½	Cotton.	A-19	Women's full fashioned cotton hose.	8 and above.....	Cotton.
A-3	Infants' anklets.....	4-7½	Cotton.	A-20	Women's full fashioned wool hose.	8 and above.....	Cotton; worsted (French).
A-4	Boys' half socks—boys' crew socks.	7-12	Cotton.	A-21	Women's full fashioned rayon hose (white and black only), with cotton welt and cotton reinforced toe, heel and sole.	8 and above.....	Cotton.
A-5	Boys' golf hose.....	7-12	Cotton.	A-22	Women's seamless rayon hose.	8 and above.....	Cotton.
A-6	Children's ¾ and long ribbed hose.	6-10½	Cotton.	A-23	Women's seamless cotton hose.	8 and above.....	Cotton.
A-7	Children's and misses' anklets.	6-10½	Cotton.	A-24	Women's seamless cotton ribbed hose.	8 and above.....	Cotton.
<i>Men's hosiery</i>				A-25	Women's seamless wool hose.	8 and above.....	Cotton; worsted (French).
A-8	Men's half hose, all cotton body.	9½ and above.....	Cotton.	A-26	Women's seamless rayon hose (white and black only), with cotton welt heel and toe.	8 and above.....	Cotton.
A-9	Men's half hose, all rayon body.	9½ and above.....	Cotton.	A-27	Women's anklets.....	8 and above.....	Cotton.
A-10	Men's half hose, cotton and rayon body.	9½ and above.....	Cotton.	A-28	Women's footlets.....	8 and above.....	Cotton.
A-11	Men's half hose, wool body.	9½ and above.....	Cotton; woolen.				
A-12	Men's slack socks, all cotton body.	9½ and above.....	Cotton.				
A-13	Men's slack socks, all rayon body.	9½ and above.....	Cotton.				
A-14	Men's slack socks, cotton and rayon body.	9½ and above.....	Cotton.				
A-15	Men's slack socks, wool body.	9½ and above.....	Cotton; woolen.				
A-16	Men's cotton work socks.....	9½ and above.....	Cotton.				
A-17	Men's wool work socks.....	9½ and above.....	Cotton; woolen.				



## PREFERENCE RATING SCHEDULE NUMBER 1—Continued

## SECTION B—UNDERWEAR

Item No.	Items	Sizes	Yarns	Item No.	Items	Sizes	Yarns
B-1	Men's heavy unionsuits 9 pounds and heavier.	34 and up incl. outsizes.	Cotton; woolen.	B-15	Women's vests, pants and bloomers (cotton) except tuckstitch.	34 and up incl. out-sizes.	Cotton.
B-2	Boys' heavy unionsuits 6 pounds and heavier.	6-16.	Cotton; woolen.	B-16	Women's tuckstitch vests and pants.	34 and up incl. out-sizes.	Cotton.
B-3	Men's light unionsuits.	34 and up incl. outsizes.	Cotton.	B-17	Women's and Misses' cotton slips.	34 and up incl. out-sizes.	Cotton.
B-4	Boys' light unionsuits.	6-16.	Cotton.	B-18	Children's heavy unionsuits.	2-16.	Cotton; woolen.
B-5	Men's heavy shirts and drawers 7 pounds and heavier as to shirts, drawers and same weight fabrics.	30 and up incl. outsizes.	Cotton; woolen.	B-19	Children's light unionsuits.	2-16.	Cotton.
B-6	Boys' heavy shirts and drawers.	6-16.	Cotton; woolen.	B-20	Children's waist suits.	2-12.	Cotton.
B-7	Men's medium, light and Balbriggan, long and short shirts and drawers.	30 and up incl. outsizes.	Cotton; woolen.	B-21	Children's vests, pants and bloomers tuckstitch and plain stitch.	2-16.	Cotton, worsted (Bradford).
B-8	Boys' medium, light and Balbriggan, long and short shirts and drawers.	6-16.	Cotton woolen.	B-22	Children's sleepers.	8-16.	Cotton.
B-9	Men's athletic shirts.	34 and up.	Cotton.	B-23	Children's gowns.	8-16.	Cotton.
B-10	Boys' athletic shirts.	6-16.	Cotton.	B-24	Infants' long and short sleeve shirts.	1-6.	Cotton; worsted (French).
B-11	Men's briefs and shorts.	28 and up.	Cotton.	B-25	Infants' bands.	1-6.	Cotton; worsted (French).
B-12	Boys' briefs and shorts.	18-34.	Cotton.	B-26	Infants' pants.	1-6.	Cotton; worsted (French).
B-13	Women's heavy unionsuits 6 pounds and heavier.	34 and up incl. out-sizes.	Cotton.	B-27	Infants' diapers.		Cotton.
B-14	Women's light unionsuits.	34 and up incl. out-sizes.	Cotton.	B-28	Infants' sleepers.	0-6.	Cotton.
				B-29	Infants' gowns.	0-6.	Cotton.
				B-30	Corsets and girdles.	All sizes.	Cotton.

## SECTION C—OUTERWEAR (MACHINE KNITTED)

C-1	Men's utility sweaters model "D" or "E" of Sch. A, WPB Order L-310 (finished garment to contain not less than 20% wool by weight).	34 and up incl. outsizes.	Worsted (Bradford); woolen; cotton.	C-16	Infants' polo shirts.	1-3.	Cotton.
C-2	Men's sweaters other than Item C-1 (finished garment to contain not less than 20% wool by weight).	34 and up incl. outsizes.	Worsted (Bradford); woolen; cotton.	C-17	Infants' overall suits, pantie suits and dresses.	1-3.	Cotton.
C-3	Men's polo, "T" and basque shirts.	34 and up incl. outsizes.	Cotton.	C-18	Infants' booties.		Cotton; worsted (Bradford).
C-4	Men's sweat shirts.	34 and up incl. outsizes.	Cotton.	C-19	Infants' shawls, crib blankets, and carriage covers, knitted or woven when made of knitting yarn.		Worsted (Bradford); woolen; cotton.
C-5	Boys' sweaters, jerseys, jackets and pullovers.	8-14.	Worsted (Bradford); woolen; cotton.	C-20	Infants' legging sets.		Worsted (Bradford); woolen; cotton.
C-6	Boys' polo, "T" and basque shirts.	8-14.	Cotton.	C-21	Infants' and children's mittens.		Worsted (Bradford); woolen; cotton.
C-7	Boys' sweat shirts.	8-14.	Cotton.	C-22	Children's sweaters.	2-8.	Worsted (Bradford); woolen; cotton.
C-8	Women's utility sweater coats models "E", "F" or "G" of Sch. B, WPB Order L-310 (finished garment to contain not less than 20% wool by weight).	38-46 (for model "E") 38 and up incl. out-sizes (for model "F" or "G").	Worsted (Bradford); woolen; cotton.	C-23	Children's polo, "T" and basque shirts.	2-8.	Cotton.
C-9	Women's pullover sweaters model "A" of Sch. B, WPB Order L-310.	34-40.	Worsted (Bradford); woolen; cotton.	C-24	Children's overall suits, pantie suits and dresses.	2-8.	Cotton.
C-10	Women's polo, "T" and basque shirts.	34 and up.	Cotton.	C-25	Infants' headwear.		Worsted (Bradford); woolen; cotton.
C-11	Girls' pullover and coat sweaters and jerseys.	8-14.	Worsted (Bradford); woolen; cotton.	C-26	Children's caps, toques and other headwear.		Worsted (Bradford); woolen; cotton.
C-12	Girls' polo, "T", basque and other knit shirts.	8-14.	Cotton.	C-27	Shawls, hoods and other headwear.		Worsted (Bradford); woolen; cotton.
C-13	Infants' sweaters and saques.	0-3.	Worsted (Bradford); woolen; cotton.	C-28	Women's and Misses' gloves and mittens (cut and sewed only).		Worsted (Bradford); woolen; cotton.
C-14	Infants' creeper and rompers.	6, 12, 18 mos.	Cotton.	C-29	Men's and Boys' gloves and mittens (cut and sewed only).		Worsted (Bradford); woolen; cotton.
C-15	Infants' soakers and pilchers.		Worsted (Bradford); Woolen; cotton.	C-30	Infants' and children's gloves and mittens (cut and sewed only).		Worsted (Bradford); woolen; cotton.
				C-31	Replacement wristlets and anklets for over-the-counter sale.		Cotton; worsted Bradford.

NOTE: Items of special colors or insignia intended for restricted distribution to or use by institutions are not within the scope of this program, and no application may be made for such items.

[F. R. Doc. 45-11937; Filed, July 3, 1945; 11:35 a. m.]

## PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule A, as Amended July 3, 1945]

Section 3290.120a Schedule A to Conservation Order M-328B is amended to read as follows:

§ 3290.120a Conservation Order M-328B, Schedule A. The following supplements to this schedule remain in effect:

Supplement XI covering Graduate Nurses' Uniforms and Student Nurses' Uniforms (this supplement expires September 30, 1945).

Supplement XII covering Women's Work Clothing (this supplement expires September 30, 1945).

Supplement XIII covering Children's Snow Suit Program No. 2 (this supplement expires December 31, 1945).

Supplement XIV covering Mackinaws, Pea Coats and Cossack Program No. 1 (this supplement expires December 31, 1945).

Supplement XV covering Knit Goods Program No. 6 (this supplement expires July 31, 1945).

All other supplements have expired or have been superseded by the provisions of M-328B as amended or Schedules B, C, D and E of that order.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 45-11934; Filed, July 3, 1945; 11:35 a. m.]

## PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule C]

## SPECIAL PROGRAM FOR COTTON FABRICS FOR CHILDREN'S APPAREL ITEMS

§ 3290.120c Schedule C to Order M-328B—(a) Explanation. This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of children's and infants' apparel made of cotton fabric to get an AA-3 preference rating for fabric to make the items listed in this schedule.

(b) Definitions. (1) "Fabric", unless otherwise designated, means a woven fabric twelve inches or more in width.

(2) "Cotton fabric" means any fabric containing less than 25% wool by weight,



but of which the remaining fibers are 50% or more cotton by weight.

(3) "Cotton item" means an item of which more than 50% of the fabric yardage incorporated in it, exclusive of linings, bindings and trimmings, is cotton fabric.

(c) *Requirements for obtaining priorities assistance.* (1) Applications under this schedule may be filed only by manufacturers who have received a serial number under Order M-388A for the manufacture of the cotton items listed in this schedule for which they apply. Two copies of Form WPB-3732 (revised) should be filed in accordance with the rules stated in paragraph (c) of M-328B.

(2) A person who has received a rated quota under Order M-388A pursuant to an application on Form WPB-4200 who files Form WPB-3732 (revised) for the third calendar quarter of 1945 by July 14, 1945, may, as soon as he files his application, apply an AA-3 rating for the purchase of cotton fabrics for delivery in that quarter for incorporation into the cotton items for which application is made. He may do so only for an item he made in the base period and only for 15% of his rated quota under M-388A with respect to any item. Cotton fabrics purchased under this provision shall be deducted by the manufacturer from the total quantity for which priorities assistance is ultimately granted on form WPB-3732 (revised). If the applicant does not ultimately receive a grant of the entire quantity thus rated, he shall, upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant.

(3) A manufacturer receiving an allocation for an item under this schedule for a quarter must subtract from his rated quota for that item under Order M-388A for that quarter, the total yardage of fabrics for which priorities assistance is granted under this schedule to determine the quantity of fabrics which he may purchase with an AA-4 rating under his M-388A rated quota. If the quantity of fabrics for which an

AA-3 rating is authorized for an item under this schedule is in excess of his AA-4 rated quota in M-388A, the manufacturer may not use an AA-4 rating under M-388A for that item.

(d) *General provisions.* (1) Preference ratings assigned under this schedule may be used only to get the particular cotton fabrics shown in the fabric column of the preference rating schedule to make the cotton items specified.

(2) The fabrics must be incorporated into an item produced for sale by the manufacturer at or below the lower of the following two prices:

(i) The price at which the manufacturer is permitted to sell the item under regulations of the Office of Price Administration; or

(ii) The price specified in the Maximum Price column.

(3) If applications are received for rated quotas in an amount for any item in excess of the yardage available for that item, the rated quotas will be assigned in proportion to the manufacturers' rated quotas for the particular items under AA-4 preference rating Schedule 1 of M-388A.

(4) A manufacturer who is not a base period manufacturer and was not assigned a quota under AA-4 preference rating schedule pursuant to application on Form WPB-4200 but was given a serial number under M-388 pursuant to application on Form WPB-4201, must comply with the provisions of paragraph (c) (6) of M-328B.

(5) Any manufacturer granted a rated quota for an item under this schedule must meet the following minimum specifications in producing that item:

(i) The yardage limitations (the minimum linear yardage per dozen garments) shall in no event be less than the amount used by him for the production of the same item in the base period, or if his quota was assigned on the basis of an application on Form WPB-4201, not less than the yardage per dozen authorized on Form WPB-3732 (revised).

(ii) *Seams, stitching and construction.* All structural seams shall be made with not less than 10 stitches per inch, except overlock stitch which shall be made with not less than 8 stitches per inch. No raw edges of fabric will be permitted in seams, and all seams must be so constructed as to minimize raveling. For all fabrics, except flannelette, a seam overlap allowance of not less than  $\frac{3}{8}$ " from the edge of the cut material to the inner stitch shall be provided. The inner stitch is the first line of stitching joining two pieces of fabric. Seams shall be finished at least by pinking. When pinked, a fabric allowance of not less than  $\frac{3}{8}$ " clear after pinking shall be provided. For flannelette the minimum construction shall be overlock seam, with  $\frac{1}{2}$ " allowance; plain pinked seams are not permitted in flannelette.

(6) Manufacturers may also file on form WPB-2842 with the Textile, Clothing & Leather Bureau, War Production Board, Washington 25, D. C., to obtain priorities assistance for elastic tape, narrow woven selvage edge tape, sewing thread, linings, pocketings and other necessary component materials in the quantities required for incorporation into the number of units of the items for which application is made on Form WPB-3732 (revised). Such requests will be granted within the limits of materials available and to the extent that priorities assistance is granted for the items requested.

(7) Manufacturers who did not manufacture an item in the base period must produce the item in the size assortments listed opposite each item in the size assortment column. Where normal industry practice appears, the manufacturer should state his proposed sizes in the remarks section of Form WPB-3732 (revised). If his application is granted, he must comply with these size assortments.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

AA-3 PREFERENCE RATING SCHEDULE NO. 1—COTTON FABRICS FOR CHILDREN'S APPAREL

M-388A Item No.	Description of cotton item	Size range	Size assortment per dozen for other than base period manufacturers <sup>1</sup>	Maximum price column	Fabric column
A-9.....	Creepers, Rompers.....	6 mos-2 yrs.....	6 mo.-1-1/4-2..... 3-3-3-3	\$8.50	Carded poplin, sheeting yarn. Print cloth, sley of 66 to 78.
A-10(a).....	Pajamas; 2-piece button-on with or without feet.....	1-4.....	1-2-3-4..... 3-3-3-3	9.00	Carded broadcloth, 80 sley and less.
(b).....	Pajamas; 2-piece button-on with extra pants.....	1-4.....	1-2-3-4..... 3-3-3-3	10.50	Chambray, 4.20 yard and lighter.
A-11(a).....	Pajamas; 1-piece with or without feet.....	2-8.....	2-4-6-8..... 2-2-4-4	9.00	Outing flannel.
(b).....	Pajamas; 2-piece jacket style.....	2-8.....	2-4-6-8..... 2-2-4-4	10.50	Print cloth, sley of 56 to 65 (plisse).
A-12.....	Pajamas; 2-piece jacket style.....	8-16.....	8-10-12-14-16..... 2-2-3-3-2	10.50	Outing flannel.
A-13.....	Night gowns; Infants.....	0-1.....	Normal Industry Practice.....	12.00	Print cloth, sley of 56 to 65 (plisse).
A-14.....	Night gowns; Children's.....	1-4.....	Normal Industry Practice.....	13.50	Outing flannel.
A-15.....	Night gowns; Children's.....	2-8.....	Normal Industry Practice.....	4.50	Print cloth, sley of 56 to 65 (plisse).
A-16.....	Night gowns; Children's.....	8-16.....	8-10-12-14-16-2-2-3-3-2	4.50	Outing flannel.
A-17.....	Kimonos; Infants.....	0-1.....	Normal Industry Practice.....	7.50	Outing flannel.
A-18.....	Gertrudes; Infants.....	0-1.....	Normal Industry Practice.....	10.50	Outing flannel.
A-19.....	Dresses; Infants.....	0-1.....	Even.....	4.50	Print cloth, sley of 56 to 65 (plisse).
A-20.....	Dresses; Toddlers.....	1-3.....	1-2-3..... 2-4-6	4.50	Lawns, 96 x 100.

<sup>1</sup> First line indicates size. Second line the number of each size.



AA-3 PREFERENCE RATING SCHEDULE NO. 1—COTTON FABRICS FOR CHILDREN'S APPAREL

M-388A Item No.	Description of cotton item	Size range	Size assortment per dozen for other than base period manufacturers	Maximum price column	Fabric column
A-21	Dresses: Children's	3-6X	3-4-5-6-6X 1-2-3-3-3	\$10.50	Print cloth, sley of 66 to 78. Carded broadcloth, more than 80 sley. Carded poplin, sley of 88 to 99. Print cloth, sley of 66 to 78. Carded broadcloth, more than 80 sley. Carded poplin, sheeting yarn. Gingham, 4.00 and heavier.
A-22	Dresses: Girls	7-14	Normal Industry Practice	15.75	Print cloth, sley of 66 to 78. Carded broadcloth, more than 80 sley. Carded poplin, sheeting yarn. Gingham, 4.00 and heavier.
A-23	Slips: Toddlers	1-3	1-2-3 4-4-4	3.75	Print cloth, sley of 66 to 78. Carded broadcloth, more than 80 sley. Carded poplin, sheeting yarn. Gingham, 4.00 and heavier.
A-24	Slips: Girls, gertrude type	2-14	2-4-6-8-10-12-14 1-2-2-3-2-1-1	6.75	Print cloth, sley of 66 to 78. Carded broadcloth, 80 sley or less. Lawns, 96 x 100. Lawns, 76 x 72.
A-25	Slips: Girls, shoulder strap style	10-16	10-12-14-16 1-4-4-3	9.75	Print cloth, sley of 66 to 78. Carded broadcloth, 80 sley or less. Dotted Swiss. Dimity.
A-27	Blouses: Girls	2-6X	Normal Industry Practice	8.50	Print cloth, sley of 66 to 78. Carded broadcloth, more than 80 sley. Dotted Swiss. Dimity.
A-28	Blouses: Girls	7-14	7-8-10-12-14 2-2-3-3-2	9.75	Print cloth, sley of 66 to 78. Carded broadcloth, more than 80 sley. Carded poplin, sley of 88 to 99. Print cloth, sley of 62 to 65.
A-29	Panties: Girls	2-12	2-4-6-8-10-12 1-2-2-3-2-2	3.75	Print cloth, sley of 66 to 78. Carded poplin, sley of 88 to 99. Sport denim. Chambray, 4.20 and lighter. Ticking.
A-30	Overalls and Coveralls (includes crawlers)	1-4	1-2-3-4 3-3-3-3	9.00	Print cloth, sley of 66 to 78. Carded poplin, sley of 88 to 99. Sport denim. Chambray, 4.20 and lighter. Ticking.
A-32	Overalls and Coveralls	2-8	Normal Industry Practice	10.30	Print cloth, sley of 66 to 78. Carded poplin, sley of 88 to 99. Sport denim. Chambray, 4.20 and lighter. Carded poplin, sheeting yarn.
A-33	Wash suits: Boys: Toddlers	1-4	Normal Industry Practice	9.25	Pique. Carded poplin, sley of 88 to 99. Print cloth, sley of 66 to 78. Carded broadcloth more than 80 sley. Carded poplin, sley of 88 to 99. Seersucker.
A-34 (a)	Wash suits: Boys: short pants	2-8	Normal Industry Practice	8.00	Print cloth, sley of 66 to 78. Carded broadcloth more than 80 sley. Carded poplin, sley of 88 to 99. Seersucker.
(b)	Wash suits: Boys: long pants	2-8	Normal Industry Practice	10.50	Print cloth, sley of 66 to 78. Carded broadcloth, more than 80 sley. Carded poplin, sley of 88 to 99. Seersucker.
A-35	Shirts and Blouses: Boys	2-10	2-4-6-8-10 2-2-3-3-2	8.50	Print cloth, sley of 66 to 78. Carded poplin, sheeting yarn. Carded poplin, sley of 88 to 99. Print cloth, sley of 66 to 78.
A-36	Shirts: Boys	11-14½	Normal Industry Practice	10.50	Carded broadcloth, more than 80 sley. Carded poplin, sheeting yarn. Carded poplin, sley of 88 to 99. Suits.
A-37	Pants: Boys, short	4-10	Normal Industry Practice	10.50	Carded poplin, sheeting yarn. Suits.
A-38	Pants: Boys, long	4-12	Normal Industry Practice	15.75	Carded poplin, sheeting yarn. Suits.
A-39	Under shorts: Boys	6-16	Normal Industry Practice	3.50	Carded poplin, sheeting yarn. Print cloth, sley of 62 to 65.

† First line indicates size. Second line the number of each size.

[F. R. Doc. 45-11938; Filed, July 3, 1945; 11:36 a. m.]

#### PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule E]

#### SPECIAL PROGRAMS FOR KNITTED FABRICS FOR CIVILIAN ITEMS

§ 3290.120e *Schedule E to Order M-328B*—(a) *Explanation*. This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of civilian knitted items manufactured from or incorporating knitted fabric to get an AA-3 preference rating for knitted fabric to make the items listed in this schedule.

(b) *Definitions*. For the purpose of this schedule:

(1) "Knitted fabric" means a fabric produced by a machine knitting process.

(2) "Woolen knitted fabric" means any knitted fabric incorporating 25% or more by weight of new, reprocessed or reused wool fiber, the wool content yarns of which are spun on the woolen system.

(c) *Special requirements for obtaining priorities assistance*. (1) Four copies of Form WPB-3732 (revised)

should be filed in accordance with the rules stated in paragraph (c) of Order M-328B.

(2) A base period manufacturer who files form WPB-3732 (revised) for the third calendar quarter of 1945 by July 14, 1945, may, as soon as he files his application, apply an AA-3 rating for the purchase of knitted fabric for delivery in that quarter for incorporation into the items for which application is made. He may do so only for an item he made in the base period and only for 20% of the yardage of knitted fabric applied for with respect to any item. Knitted fabric purchased under this provision shall be deducted by the manufacturer from the total quantity for which priorities assistance is ultimately granted on Form WPB-3732 (revised). If the applicant does not ultimately receive a grant of the entire quantity thus rated, he shall, upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant.

(3) In making application on Form WPB-3732 (revised), each base period

manufacturer must apply with respect to each item for which application is made, as follows:

(i) He must apply for fabric for each price of the item at which he produced it in the base period, unless the facilities utilized for the production of the item at a particular price in the base period are devoted to production on orders received from Government Procurement Agencies or have been sold or otherwise disposed of. When such facilities are no longer available, the applicant must explain it in the "Remarks" section of Form WPB-3732 (revised).

(ii) The quantity of an item for which application is made at each price shall be in the same proportion to the total quantity of the item applied for as the quantity produced at each similar price in the base period was to his total production of the item in the base period. For example, if an applicant made in the base period 300 dozen girls' coats, of which 100 dozen (or  $\frac{1}{3}$ ) were priced at \$10.50 each, 100 dozen (or  $\frac{1}{3}$ ) at \$12.75 each, and 100 dozen (or  $\frac{1}{3}$ ) at \$15.75 each, and he wishes to apply for girls'



coats under this Program,  $\frac{1}{2}$  of whatever total quantity he applies for must be at each of these base period prices. To base period prices may be added any increase subsequently granted by the Office of Price Administration.

(iii) The whole or any part of an application for an item may be shifted from a higher to a lower price than required under the above rule, but not from a lower to a higher price, unless the weighted average price of the total number of units applied for is at or below the weighted average price of the total number of units of that item delivered in the base period.

(iv) In reporting production by price on Form WPB-3732 (revised), items sold as seconds or as close-outs shall be reported under the prices it was intended they would be sold when produced.

(v) Items in this schedule not included in the category of Office of Price Administration Supplementary Order 108 are exempt from the provisions of this paragraph (c) (3).

(4) Persons applying for priorities assistance on Form WPB-3732 (revised) under this schedule may apply on Form WPB-2842 for cotton fabrics needed for incorporation into linings, facings, stays, tapes and sewing thread, and on Form WPB-541 for rayon and wool components of the items listed in this schedule. The applications should be filed with the Textile, Clothing and Leather Bureau, War Production Board, Washington 25, D. C. Applications may not be for any quantity greater than the amounts required to be incorporated into the quantity of items for which priorities assistance is requested.

(5) Manufacturers who did not produce in the base period the items applied for on Form WPB-3732 (revised) may not use any preference ratings under this schedule until the War Production Board has assigned them a quota on that form.

(d) *General Provisions.* (1) The rating assigned under this schedule may be used only to get the particular knitted fabrics shown in the knitted fabric column of the preference rating schedule to make the item specified. In addition the producer of the knitted fabric may extend the rating for the purchase of the quantities of yarn required to be incorporated into the knitted fabric sold by him on rated orders authorized by this schedule. Such ratings shall be extended as provided in Priorities Regulation 3 and Order M-328.

(2) A person other than a base period manufacturer must show, in the "Remarks" section of Form WPB-3732 (revised) for each size range of each item for which application is made, the size assortments per dozen which he proposes to produce. If his application is granted, he shall produce the item in the assortment of sizes stated on his application unless the War Production Board specifies a different assortment.

(3) No manufacturer shall purchase or accept delivery of knitted fabric to make any item for which a rating for that fabric is assigned to him under this schedule, unless he uses that rating. The

provisions of this paragraph do not apply to purchases for direct or ultimate delivery to or for incorporation into any product for ultimate delivery to the United States Army or Navy, the Maritime Commission or the War Shipping Administration.

Issued this 3d day of July 1945.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

PREFERENCE RATING SCHEDULE NO. 1—PRODUCTION OF ITEMS MADE OF OR INCORPORATING KNITTED FABRICS

Item No.	Item column	Size (or equivalent trade designation)	Knitted fabric column
1	Coats, women's, misses' and juniors.	9 to 17... 10 to 20... 36 to 44... 46 and up.	Woolen knitted fabric.
2	Coats, teen age, girls'.	10 to 16...	Woolen knitted fabric.
3	Coats, girls'.	7 to 14...	Woolen knitted fabric.
	Coats, children's.	3 to 6x...	Woolen knitted fabric.
5	Coats, toddlers'.	1 to 4...	Woolen knitted fabric.
6	Coats, infants'.	.....	Woolen knitted fabric.
7	Coats, boys' finger tip.	10 to 20... 12 to 24... 34 and up.	Woolen knitted fabric.
8	Men's overcoats, ulster and double breasted.	34 and up.	Woolen knitted fabric.
9	Overcoats, men's basic model.	34 and up.	Woolen knitted fabric.

[F. R. Doc. 45-11939; Filed, July 3, 1945; 11:36 a. m.]

#### Chapter XI—Office of Price Administration PART 1306—ADMINISTRATION

[Supp. Order 110, Amdt. 2]

#### GREY AND CERTAIN FINISHED RAYON AND OTHER SYNTHETIC WOVEN FABRICS—MANUFACTURERS' MAXIMUM AVERAGE PRICE

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplementary Order No. 110 is amended in the following respects:

1. Paragraph (b) of section 1 is amended to read as follows:

(b) This supplementary order requires manufacturers of rayon and other synthetic woven fabrics to maintain or restore their sales of lower priced goods to the extent necessary to keep their weighted average price for such fabrics from being higher than a "maximum average price." A manufacturer's maximum average price will usually be determined by reference to his weighted average price for a "base period" but in certain cases it will be a price established by the Office of Price Administration upon application by the manufacturer. In most instances only grey goods, but in some instances finished goods alone or a combination of both grey and finished goods, will enter into a manufacturer's weighted average price.

2. Paragraph (a) of section 2 is amended to read as follows:

(a) This supplementary order applies in general to all fabrics covered by Revised Price Schedule No. 23, as amended, and to grey, as well as finished, rayon or synthetic fabrics covered by the General Maximum Price Regulation. However, it does not apply:

(1) To fabrics, or to cancellations, over-run or rejects of such fabrics, made pursuant to a contract with a war procurement agency or a sub-contract under such a contract or to any other contract bearing a preference rating of AA-2x or higher. As used in this order:

(i) "War Procurement Agency" means the War Department, Department of the Navy, the United States Maritime Commission, the Training Organization of the War Shipping Administration, or the Lend-Lease Section in the Procurement Division of the Treasury Department;

(ii) "Cancellations" means yardage which would have been delivered pursuant to a contract but for its cancellation and which was produced or in production prior to the cancellation and shall include yardage produced from yarns or fibers which have prior to the cancellation been put in process for the purpose of filling the contract;

(iii) "Overruns" means excess yardage unavoidably produced in the course of fulfilling a contract;

(iv) "Rejects" means yardage submitted to but rejected by the purchaser;

(2) To fabrics which contain no synthetic yarn or fiber;

(3) To fabrics less than 12 inches in width as woven;

(4) To fabrics declared surplus by and purchased from the Office of Surplus Property of the Department of Commerce;

(5) To pieces classed in good faith as remnants and sold at a poundage price of less than cost;

(6) To fabrics which are specially designed for and are such in construction that they are normally used only for industrial purposes;

(7) To fabrics ultimately sold by the manufacturer thereof as finished woven decorative fabrics subject to Maximum Price Regulation No. 39: *Provided*, That in any quarter beginning on or after July 1, 1945, the fabrics exempted hereby shall be limited to the manufacturer's "quota" determined with reference to 1943 or 1944, whichever the manufacturer shall choose as his base year. A manufacturer's "quota" delivered by him in the corresponding quarter of his base year; or (ii) the same percentage of his total deliveries (i. e., fabrics subject to this order and woven decorative fabrics subject to Maximum Price Regulation No. 39, taken together) during the quarter as in the corresponding quarter of his base year his deliveries of such woven decorative fabrics constituted of his total deliveries. If the manufacturer in any such quarter delivers more than his quota, the fabrics exempt from this supplementary order shall be those aggregating his quota which are delivered first in that quarter. Fabrics delivered in



that quarter after the quota is exhausted are subject to this supplementary order and the "total gross dollar amount charged" for those fabrics (see section 4) shall be two-thirds of their value as finished goods, figured at ceiling prices.

3. In paragraph (b) of section 2, the phrase "yarn-dyed" is deleted.

4. Paragraph (d) of section 3 is revoked.

5. Subdivision (ii) of section 4 (a) (1) is amended by substituting the word "commodities" for the phrase "finished goods and manufactured articles" in the second sentence.

6. Inferior subdivision (a) of section 4 (a) (1) (ii) is amended to read as follows:

(a) The first condition applies when the finished goods or manufactured articles made from fabrics to which the manufacturer has assigned a value lower than ceiling are subject to a ceiling price determined by any formula of the cost-plus type. In this situation, if the manufacturer has assigned to the fabrics "delivered" within his own organization a lower value than ceiling, the maximum price for the resulting finished goods or manufactured articles shall be the price arrived at under the applicable price regulation after reducing the otherwise allowable cost by the actual difference between the ceiling value and the lower assigned value of the fabrics used.

7. In inferior subdivision (b) of section 4 (a) (1) (ii) the first sentence is amended and a footnote added, to read as follows:

The second condition applies when the manufactured articles<sup>1</sup> made from fabrics to which the manufacturer has assigned a value lower than ceiling are subject to a ceiling price determined in any other manner than by a formula of the cost-plus type.

8. Section 4 (a) (2) is amended to read as follows:

(2) (i) "Yard" means "square yard" or "linear yard" as each manufacturer shall for himself elect. While given a choice between the square yard and the linear yard basis, each manufacturer must use one or the other exclusively and may not use both.

(ii) (a) In the computation of square yardage of finished fabrics subject to the General Maximum Price Regulation, the finished width must be used.

(b) In the computation of square yardage of other fabrics, either grey width or loom (reed) width may be used; however, in calculating current average prices for any given group or type of fabrics he must always use the same width basis, i. e., grey or loom, as he used in computing his base period average price (or, if he delivered no fabrics of that group or type in the base period, the

<sup>1</sup>The second condition mentions only manufactured articles and not finished goods because finished goods subject to a ceiling price determined in any other manner than by a formula of the cost-plus type are governed by the General Maximum Price Regulation and, hence, are subject to this Order in the finished state. See Section 2.

same width basis as he first used for them in computing his current average price).

9. Section 4 (a) (3) (i) is amended to read as follows:

(i) In the case of any fabric which is actually sold by the manufacturer in a state in which it falls within the definition of fabrics in section 2 (b), "delivered" refers to a manufacturer's invoicing of fabrics which, in accordance with the purchaser's order, have been shipped or are being held for him: *Provided*, That fabrics once delivered shall never be deemed to have been delivered a second time by the same manufacturer.

10. Section 4 (a) (3) (ii) is amended to read as follows:

(ii) In the case of fabrics converted or made by or for the account of the manufacturer into manufactured articles or into finished fabrics which do not fall within the definition of fabrics in section 2 (b), "delivered" refers to the transfer of fabrics from the last plant, department, or process in their production as fabrics subject to this order<sup>2</sup> to the first subsequent plant, department, or process in their conversion or manufacture into finished fabrics or manufactured articles. A transfer shall be regarded as taking place at the time of physical delivery to that subsequent plant or department or of the inception of that subsequent process: *Provided*, That, if the manufacturer's record of transfer required by section 9 (e) is systematically based on some other related occurrence (such as completion of work, packaging or notification of subsequent department) the transfer shall be regarded as taking place at the time of that occurrence: *Provided further*, That fabrics once delivered shall never be deemed to have been delivered a second time by the same manufacturer.

11. Section 5 (b) is amended by adding subparagraph (4) to read as follows:

(4) A manufacturer may elect not to treat as fabrics delivered by himself the entire production of any plant operated by him on or after January 1, 1943, but sold or dismantled prior to May 1, 1945.

12. In section 6, paragraphs (a) and (b) are amended to read as follows:

(a) "Surcharge" and "credit." (1) If a manufacturer's weighted average price for any quarter exceeds his maximum average price for that quarter, he has incurred a "surcharge"; if it is less than his maximum average price for that quarter<sup>3</sup> he has earned a "credit". The dollar amount of the credit or of the surcharge is computed by first finding the difference between the manufacturer's weighted average price for the quarter and his maximum average price for the quarter,<sup>4</sup> and then multiplying that dif-

<sup>2</sup>It should be borne in mind that any finished fabric for which the ceiling is established by the General Maximum Price Regulation is subject to this order in the finished state, even if its ceiling in the grey is established by Revised Price Schedule No. 23, as amended.

<sup>3</sup>Section 15 gives almost every manufacturer a temporary increase in his maximum average price. It provides, however, that the increase is to be disregarded in determining

ference by the number of yards of fabrics subject to this Order delivered during the quarter.

(b) "Net surcharge". (1) at the end of each quarter a manufacturer must determine whether he has a "net surcharge", and, if so, the amount of it.

(2) A manufacturer has a "net surcharge" only if and to the extent that the total of his surcharges exceeds the total of his credits, for all quarters since July 1, 1945 taken together.

13. In section 10 (a) (1) the date June 30, 1945 is amended to read July 14, 1945.

13a. In section 10 (a) (2) the date July 21, 1945 is amended to read August 4, 1945.

13b. Section 10 (b) (8) is revoked.

14. In section 11 (a) (1) the date July 22, 1945 is amended to read August 5, 1945.

15. Section 13 is added, to read as follows:

Sec. 13. *Serious emergencies.* (a) This section is designed to protect the manufacturer against contravention of this order as a consequence of a "serious emergency" beyond his control.

(1) The term "emergency" is used to include acts of government agencies, strikes or labor disputes, fires, floods, storms, explosions, civil disturbances, or acts of God or public enemy. However, it does not include change in or failure of adequate raw material supplies due to reasons other than an emergency, or failure of transportation.

(2) A "serious emergency" means one which has disrupted or will disrupt a manufacturer's production or delivery schedule so materially that, under an otherwise binding private contract to arrange deliveries as required by this order, he would in law be excused from delay or default if it contained a clause excusing delay or default in the event of an emergency as defined above.

(b) In the event of a "serious emergency" a manufacturer, on condition of duly filing the report called for below, may have a "time-out" of not to exceed 30 days, renewable upon the further conditions specified below. Deliveries made during any time-out or during any extension of a time-out shall not be included in the manufacturer's computation of any weighted average price. If the Administrator has reason to believe at any time that the claimed emergency is not such as to justify either the initial time-out or any past or prospective extension thereof, he may by order require that the manufacturer shall on 5 days' written notice, show cause why the time-out should not be disallowed or discontinued or further renewal thereof denied. Otherwise, however, any time-out may be extended for additional periods of not to exceed 30 days each but as a condition of each such extension, the manufacturer must duly file the reports called for below.

(c) *Reports to be filed as a condition of initial "time-out" and extensions there-*

whether the manufacturer has earned a credit. In other words, a manufacturer will earn a credit only if his weighted average price is less than his otherwise applicable maximum average price.



of. As a condition of availing himself of any initial time-out and of each extension thereof, a manufacturer must duly file the following reports with the Office of Price Administration, Washington 25, D. C., in duplicate:

(1) Within 10 days after the beginning of any initial time-out, and again within 5 days after the beginning of each extension, a manufacturer must file a report giving as of that date:

(i) A concise factual account of the emergency or of its continuance;

(ii) A factual statement of its effect on production and deliveries;

(iii) Such information on resumption of the normal production and deliveries as then available; and

(iv) A statement as to the length of the time-out or extension needed to cover the period of disruption of deliveries.

(2) If the fabrics delivered by the manufacturer during any initial time-out or any extension thereof at prices above his maximum average price exceed in yardage fabrics delivered at prices above his maximum average price in an equivalent number of days immediately prior to the arising of the emergency, he must report within 5 days after the expiration of that time-out or extension (or include in the report called for by subparagraph (1) above) the respective yardages and must show cause why the time-out should not be disallowed as to the excess.

16. Section 14 is added to read as follows:

**SEC. 14. Application for adjustment.**

(a) A manufacturer whose maximum average price is such that he cannot utilize his equipment and raw material supply to manufacture the maximum amount of serviceable fabrics may apply for an adjustment of his maximum average price. The following are some of the meritorious situations which might account for his need for adjustment: the raw material supply available to him has changed appreciably since the base period; his production has been or is dislocated as a consequence of military contracts or government restrictions on production; he has added or disposed of equipment; or his base period was abnormal in some respect.

(b) If a manufacturer has a meritorious reason for seeking an adjustment, an adjustment of his maximum average price will be granted to him, upon application to the extent necessary to permit him to make, on his equipment and from the yarn and fibre supply available to him, the maximum amount of serviceable fabrics of standard constructions. In determining the amount of an adjustment the Administrator will apply the following standards:

(1) The adjustment will be limited to the amount necessary to permit the manufacturer to make the maximum yardage of serviceable fabrics of standard constructions of types normally used for men's, women's or children's underwear or outerwear, unless the manufacturer's raw material supply or equipment is such that he cannot make goods of those types.

(2) If the manufacturer's equipment and raw material could be used in mak-

ing serviceable fabrics of standard constructions in different categories (e. g., satins, taffetas, twills), or for different end uses (e. g., linings, dress goods, underwear fabrics), with different average prices, consideration will be given to the categories and end uses, respectively, for which the manufacturer made fabrics from the same raw material during a recent production period.

(3) For a manufacturer who has jacquard or box looms or other equipment specially designed to make fabrics of a particular type, "standard construction" shall mean a standard construction requiring the use of such looms or equipment.

(4) In the case of goods in which either the filling or both warp and filling are made entirely of spun yarns, due consideration will be given to fabric weight.

(c) Each application shall be filed with the Office of Price Administration, Washington 25, D. C. The application shall be in duplicate and shall conform to the following requirements:

(1) It shall state the reason why the manufacturer has to seek an adjustment.

(2) It shall include a complete list of the constructions (described in the same detail as in Revised Price Schedule No. 23, as amended) which were produced during the last full calendar month or 4- or 5-week producing period prior to the application, with the number of yards produced and the ceiling price of each construction.

(3) If the production schedule or the raw material supply reflected in the list furnished pursuant to subparagraph (2) above is not representative of the applicant's prospective raw material supply or production schedule, the applicant shall furnish such facts as are pertinent to demonstrate what that prospective schedule or supply will be.

(4) If the applicant seeks an adjustment computed in whole or in part on the basis of constructions other than those which can be produced on plain looms, the application shall contain the following information concerning equipment in use and in place during the period to which the information supplied pursuant to subparagraph (2) above relates:

(i) The number of his looms, classified by type, make, and model;

(ii) The number of his spinning spindles, classified by and with a description sufficient to show the range of yarn numbers for which they are designed; and

(iii) The number of his twister spindles.

17. Section 15 is added, to read as follows:

**SEC. 15. Temporary increase in maximum average price.**

(a) Notwithstanding any other section of this supplementary order, but subject to paragraphs (c), (d), (e), and (f) below, a manufacturer whose otherwise applicable maximum average price is fixed by section 5 (a) (1) may take as his maximum average price the lower of the following two alternatives:

(1) 110% of his otherwise applicable maximum average price, or

(2) His choice of

(i) 102% of his weighted average price for the first quarter of the calendar year 1945,

(ii) 102% of his weighted average price for the second quarter of the calendar year 1945, or

(iii) 102% of his otherwise applicable maximum price.

(b) Notwithstanding any other section of this supplementary order, but subject to paragraph (c), (d), and (e) below, a manufacturer whose otherwise applicable maximum average price is fixed by section 5 (a) (2) may take as his maximum average price the lower of the following:

(1) 102% of his weighted average price for the first or second quarter of the calendar year 1945, or

(2) 105% of his weighted average price for the first three calendar months following the month in which he first delivered fabrics subject to this order.

(c) Paragraphs (a) and (b) of this section shall not apply to any maximum average price established pursuant to paragraph (c) of section 5 or to any maximum average price which has been adjusted pursuant to section 14.

(d) Any "credit" determined pursuant to paragraph (a) of section 6 shall be computed without regard to the increase provided for in paragraphs (a) or (b) of this section.

(e) The base period report required by section 10 (a) shall be prepared without regard to the increase provided for in paragraphs (a) or (b) of this section. However, any manufacturer who wishes to determine his maximum average price on the basis of 102% of his weighted average price for the second quarter of the calendar year 1945 must as a condition, submit, in addition to the information required in the base period report, the following: the total gross dollar amount charged for fabrics he delivered, the total number of yards delivered, and his weighted average price for the quarter beginning nearest April 1, 1945. This supplementary report must be filed in duplicate with the Office of Price Administration, Washington 25, D. C., on or before July 20, 1945.

(f) The increases in maximum average prices provided for in this section will remain in effect at least for the quarter beginning nearest July 1, 1945 and will not be reduced or withdrawn except by an amendment effective 60 days or more after issuance.

18. Section 16 is added to read as follows:

**SEC. 16. "Consolidated" manufacturers.** (a) If two or more manufacturers are under common production management, as a result of either similarity of ownership or use of the same selling agent, they may be treated upon the following conditions as a consolidated manufacturer who, except as specified below, shall be subject to the provisions of this supplementary order in the same manner as any other manufacturer. The conditions are:

(1) No manufacturer may be treated as a constituent member of a consolidated manufacturer until each member



has filed or caused to be filed with the Office of Price Administration, Washington 25, D. C.:

(i) An election (signed by an owner, officer, or principal) to be treated as a constituent member of a consolidated manufacturer;

(ii) A list of the other constituent members;

(iii) A designation of a person who will act for all the constituent members as manager of the consolidated manufacturer;

(iv) A statement by that person that he agrees to act as manager.

(2) Each member must file or cause to be filed for himself the report required by paragraph (a) of section 10. In addition, the manager must file for the consolidated manufacturer all the reports required by paragraphs (a), (b), and (c) of section 10.

(3) A manufacturer may become a constituent member of a "consolidated" manufacturer only at or as of the beginning and may withdraw only at or as of the end of a quarter.

(4) As applied to a consolidated manufacturer and its constituent members, the makeup rule set forth in section 6 (c) shall be modified to read as follows: If a consolidated manufacturer incurs a net surcharge at the end of each of two consecutive quarters, a constituent member shall not thereafter deliver fabrics subject to this order at a gross price per yard above the maximum average price of such member until the consolidated manufacturer has "made up" the net surcharge existing at the end of the second such quarter.

(5) In order to withdraw, a manufacturer must file with the Office of Price Administration, Washington 25, D. C., a revocation of his election and, unless such notice is waived by each of the other constituent members, must give them at least a quarter's notice of such withdrawal.

(6) If a constituent member withdraws, a proportionate share of any net surcharge or of any credit balance existing at the end of each of the last two quarters of his membership shall be treated as though it had been earned or incurred by the withdrawing member and not by the consolidated manufacturer. "Proportionate share" means a share apportioned in proportion to "total gross dollar amount charged" by respectively the withdrawing member and the consolidated manufacturer during the last quarter of his participation in the consolidation. The consolidated manufacturer shall adjust its maximum average price by eliminating from the computation thereof the data relating to the member who has withdrawn.

This amendment shall become effective June 30, 1945.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11757; Filed, June 30, 1945; 3:11 p. m.]

# PART 1305—ADMINISTRATION

[Gen. RO 8, Amdt. 12]

## GENERAL PROHIBITIONS, PENALTIES AND CONDITIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

General Ration Order 8 is amended by adding a new section 2.22 to read as follows:

SEC. 2.22. *Carrying out Office of Economic Stabilization directions.* Whenever the Director of the Office of Economic Stabilization directs the Office of Price Administration to refuse applications by any person for a rationed commodity or for rationed commodities or to cancel any outstanding allocations to any person, the Deputy Administrator for Rationing shall issue appropriate instructions or orders for carrying out such direction and any modification thereof. If such direction shall subsequently become inoperative, either pursuant to its terms or by rescission, the Deputy Administrator for Rationing shall issue appropriate instructions or orders to enable such person again to acquire and use rationed commodities.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11779; Filed, June 30, 1945; 4:02 p. m.]

# PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A, Amdt. 100]

## TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Ration Order No. 1A is amended in the following respects:

1. A new § 1315.551 is added to read as follows:

§ 1315.551 *Allotments of tires to veterans for sale or transfer—*(a) *Who may apply.* A person who was in the Army, Navy, Marine Corps or Coast Guard of the United States on or after September 16, 1940, and was discharged or released under conditions other than dishonorable after active service of ninety days or more, or by reason of an injury or disability incurred in service in line of duty, and who wishes to acquire an allotment of tires as a dealer may apply to the Board serving the area where his establishment will be located.

(b) *Form of application.* The applicant shall apply on OPA Form R-76 and shall state:

<sup>1</sup> 8 F.R. 3783, 5677, 9626, 15455; 9 F.R. 402, 1325, 2746, 4196, 4878, 7419; 10 F.R. 860.

<sup>2</sup> 7 F.R. 9160, 9392, 9724.

(1) His name and address and the name and address of the establishment for which the allotment is sought;

(2) That he was in the Army, Navy, Marine Corps or Coast Guard on or after September 16, 1940, and was discharged or released therefrom under conditions other than dishonorable, after active service of ninety days or more, or by reason of an injury or disability incurred in service in line of duty;

(3) That he has already obtained premises suitable for operation as a dealer or that he will obtain such premises if he is otherwise entitled to receive an allotment of tires under this section;

(4) That he is not and will not be financed directly or indirectly as a dealer by another dealer or by a manufacturer;

(5) That he meets the requirements of paragraph (d);

(6) That the operation of the establishment covered by the application will be his principal occupation;

(7) If he is a dealer when he applies under this section, the location of his establishment, the number of passenger, truck (by cross-section size groups 7.50 and smaller and 8.25 and larger) and tractor-implement tires in his inventory including replenishment portions of certificates or receipts available to him, and the number of tires, by types, which he seeks to acquire;

(8) If he is not a dealer when he applies under this section, the number of passenger, truck (by cross-section size groups 7.50 and smaller and 8.25 and larger) and tractor-implement tires which he seeks to acquire, but not in excess of the amounts which may be allotted to him under paragraph (e);

(9) That he has not already received the maximum number of tires which he is entitled to receive under this section.

(10) That he does not have any other application pending under this section.

(c) *Proof of veteran status.* The applicant must show his discharge papers or certificate of satisfactory completion of active duty or a photostatic copy thereof, and his application on OPA Form R-76 to the Board.

(d) *Ownership and operation of veterans' establishment.* No person may obtain an allotment of tires under this section unless:

(1) He is the principal owner and active head of the business covered by the application and no other part owner of the business is a dealer or manufacturer; or

(2) He is the joint owner of the business covered by this application and will be actively engaged in the operation of the business, and the financial interests held by himself and by members of his immediate family or persons who would themselves be entitled to allotments under this section aggregate the principal ownership of the business and no other part owner of the business is a dealer or manufacturer.

(e) *Action on the application.* (1) A Board may not act on any application filed under this section. It shall note upon the application that it has seen the applicant's discharge papers or certificate of completion of active duty or a photostatic copy thereof, and the date of discharge or release shown on such



papers or certificate. It shall send the application, together with all other information received, to the District Office. It may attach its recommendation as to the action to be taken.

(2) If the District Office finds that the statements made in the application are true and that the application satisfies the requirements of this section it shall issue certificates in the name of the applicant authorizing him to purchase not more than ten passenger tires; four truck tires, 7.50 and smaller; two truck tires 8.25 and larger; and six tractor-implement tires: *Provided, however,* That it shall deduct from the maximum amount which may be allotted to him in any type or cross-section size group, the total of tires of that type or cross-section size group in his inventory and replenishment portions available to him, which call for that type or cross-section size group. If the applicant has not yet obtained premises suitable for operation as a dealer, the District Office shall, instead of issuing him certificates for an allotment of tires, give him a statement in writing that he will be given an allotment when he obtains suitable premises. Whenever a person to whom such a statement has been given by the District Office satisfies that Office that he has obtained premises suitable for operation as a dealer, the District Office shall grant him the allotment for which he is eligible.

(3) If two or more persons eligible for an allotment under this section apply for allotment to be used at the same establishment, the District Office shall grant only one allotment which may not be larger than if only one eligible person had applied.

(f) *Discontinuance of veteran's establishment.* (1) If at any time within a year after an allotment has been granted under this section, the facts stated in paragraph (b) (4), (b) (6) or (d) cease to be true, the establishment for which the allotment was granted shall surrender to the District Office as soon as they are acquired, replenishment portions of certificates or receipts representing the number and type of tires (by cross-section size groups 7.50 and smaller and 8.25 and larger for truck tires) which it had received on certificate under paragraph (e) (2). The establishment may not acquire any tires from a supplier while it owes replenishment portions to the District Office.

(2) Notwithstanding those provisions of § 1315.804 (l) and (m) which allow a dealer who is discontinuing business to transfer his inventory to another dealer, a veteran who has received an allotment under this section within the year prior to the date he wishes to discontinue his business, may transfer his inventory of tires only to a dealer who was his supplier of tires within that same period or to a dealer who would be eligible for an allotment under this section. However, if a veteran dies within a year of receiving an allotment under this section, the transfer provisions of § 1315.804 (l) or (m) are applicable.

(3) An establishment which is prohibited from acquiring tires because the facts stated in paragraph (b) (4), (b) (6) or (d) have ceased to be true, may liquidate its inventory by returning

tires to a manufacturer pursuant to § 1315.804 (e) (1).

This amendment shall become effective July 6, 1945.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong.; E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 3d day of July 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11943; Filed, July 3, 1945;  
11:41 a. m.]

#### PART 1340—FUEL

[MPR 120, Amdt. 142]

##### BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 1340.210 (a) (16) (iv) is amended by deleting the word and numerals "June 30" appearing after the word "until" and before the numerals "1945" and inserting in lieu thereof the word and numerals "July 31".

This Amendment No. 142 shall become effective July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11785; Filed, June 30, 1945;  
4:04 p. m.]

#### PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 449, Amdt. 4]

##### GROUNDWOOD SPECIALTY PAPERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 449 is amended in the following respects:

1. Section 15 (c) entitled "General Use Papers" is amended as follows:

a. The entire lines starting "No. 1 Groundwood Poster" and ending "made in white" are deleted and the entire lines "No. 2 Groundwood Poster" and ending "printing finish" are deleted and in their place the following is substituted:

"Groundwood Poster" contains specialty groundwood fiber and chemical fiber. It contains no filler and is made with medium printing finish. It is made in an assortment of colors, either in the standard assortment consisting of pink, jade, mandarin, sulphur, gold, azure and

white or in assortments of other selected colors not deeper than medium.

b. The entire lines starting "No. 1 Railroad manilla" and ending "(17 x 22/500)" are deleted and the entire lines starting "No. 2 Railroad manilla" and ending "(17 x 22/500)" are deleted and in their place the following is substituted:

"Railroad manilla" contains specialty groundwood fiber and chemical fiber. It contains no filler and is sized for pen and ink writing. It is made only in the standard colors, sulphur or canary, cream or india and white. Basis weight is at least 13 lb. (17 x 22/500).

2. The table of prices for "General Use Papers" appearing in Appendix A (a) is amended in the following respects:

a. The first four lines beginning "No. 1 Groundwood Poster", "No. 2 Groundwood Poster", "No. 1 Railroad manilla" and "No. 2 Railroad manilla" are deleted and in their place the following is substituted:

Grade	Minimum standard basis weight	Code for light weight differential. (See par. (c) (2))	Maximum base price
Groundwood poster.	32 lbs.—24 x 36/500.	HLD	\$4.85
Railroad manilla.	14 lbs.—17 x 22/500.	GLD	4.75

b. In the table of prices for "Groundwood Hanging Papers" appearing in Appendix A, the maximum base price for No. 2 Groundwood Hanging Paper is amended to read as follows:

Grade	Minimum standard basis weight	Code for light weight differential. (See par. (c) (2))	Maximum base price
No. 2 Groundwood hanging.	38 lbs.—24 x 36/480.	None	\$4.20

This amendment shall become effective July 9, 1945.

Issued this 3d day of July 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11947; Filed, July 3, 1945;  
11:41 a. m.]

#### PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 394, Amdt. 16]

##### RETAIL CEILING PRICES FOR KOSHER BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BYPRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 394 is amended by the addition of subparagraph (b) (7) to section 5 to read as follows:

(7) Notwithstanding any of the foregoing provisions of subparagraphs (b)

<sup>1</sup> 8 F.R. 11515, 14985; 9 F.R. 6633, 7504.



(1) through (b) (6) inclusive, upon a finding by the Administrator at Washington, D. C. that (i) There exists within any specified area total quotas which are substantially below an amount representing current seasonal demands for kosher meats by purveyors of kosher meals located in such area, and (ii) Such purveyors of kosher meals are supplied almost exclusively by kosher retail selling establishments or stores located in the same area, and (iii) The condition, described in subdivision (i) above, is caused by the fact that the kosher retail selling establishments or stores are limited in their sales to purveyors of kosher meals located in the same area to 20% of their total dollar volume of meats sold during any current month, the Administrator at Washington, D. C., may, by order, designate such area as a "deficiency area" for such period as he may prescribe.

Upon the designation by the Administrator at Washington, D. C., of any specific area as a deficiency area, the District Director of the Office of Price Administration for the district in which such deficiency area is located, may authorize any kosher retail selling establishment or store customarily serving such area, which establishment or store is not a hotel supply house and which does not slaughter more than 20 cattle or calves per month, to sell kosher retail meat cuts to kosher purveyors of meals at the prices specified in Section 24 of Maximum Price Regulation No. 394, in whatever volume and subject to such terms and conditions as he may deem necessary: *Provided*, That in no event may such kosher retail selling establishment or store be authorized to sell kosher retail meat cuts to kosher purveyors of meals in excess of 70 percent of its total monthly dollar volume of meat sales.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11759; Filed, June 30, 1945;  
3:12 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1, Amdt. 1 to Supp. 1]

##### LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

Table 1 in Supplement No. 1 to Control Order 1 is amended to read as follows:

TABLE I—QUOTA PERCENTAGES FOR ALL CLASS 2 SLAUGHTERERS (UNDER SECTION 9 OF CONTROL ORDER 1)

(a) For quota periods beginning on or after April 30, 1945:

	Percent
Cattle.....	75
Calves.....	75
Sheep and lambs.....	100
Swine.....	50

(b) For quota periods beginning on or after July 1, 1945:

	Percent
Cattle.....	85
Calves.....	75
Sheep and lambs.....	110
Swine.....	50

This amendment shall become effective on July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11778; Filed, June 30, 1945;  
4:01 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1, Amdt. 1 to Supp. 2]

##### LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

Section 1407.309 (a) in Supplement No. 2 to Control Order 1 is amended to read as follows:

(a) There are hereby established and certified to the Defense Supplies Corporation the following percentages to be applied to the total slaughter of livestock of any species during the base periods of 1944, upon which slaughter payments may be made during the corresponding quota periods of 1945, to Class 2 and Class 3 slaughterers:

(1) *Class 2 slaughterers:*

(i) For quota periods beginning on or after April 30, 1945:

	Percent
Cattle.....	75
Calves.....	75
Sheep and Lambs.....	100
Swine.....	50

(ii) For quota periods beginning on or after July 1, 1945:

	Percent
Cattle.....	85
Calves.....	75
Sheep and Lambs.....	110
Swine.....	50

(2) *Class 3 slaughterers:*

(i) For quota periods beginning on or after April 30, 1945:

	Percent
All species.....	100

This amendment shall become effective on July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11777; Filed, June 30, 1945;  
4:01 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3, Amdt. 24]

##### SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 2.2 (g) (1) is amended to read as follows:

<sup>1</sup> 9 F.R. 13641, 13992, 14642, 15048; 10 F.R. 201.

(g) (1) Notwithstanding the provision of paragraph (f), a Regional Administrator may in his discretion fix the total quantity of sugar any Board in his region may issue for home canning and preserving for home use during the period from February 23, 1945, through October 31, 1945, inclusive. In addition, he may authorize a District Director in his discretion to fix the amounts of sugar that any Board in his district may issue for such purposes, in which case, he shall also fix the maximum amount of sugar which all Boards in that district may issue for these purposes during the period from February 23, 1945, through October 31, 1945 inclusive. However, the total amount which all Boards in the region may be authorized to issue under this subparagraph may not exceed 70% of the total amount all Boards in that region issued for these purposes during the period February 29, 1944, through December 9, 1944, inclusive, except under the conditions set forth in (2) below.

This amendment shall become effective July 6, 1945.

Issued this 3d day of July 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11944; Filed, July 3, 1945;  
11:42 a. m.]

#### PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 122]

##### FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

In Appendix H, Table 15 (Maximum Prices for Red Sour Cherries), footnote reference 3 is added to the heading of Column 5 and footnote 3 is added to read as follows:

<sup>3</sup> During the period beginning July 1, 1945, and ending July 20, 1945, the Column 5 prices for red sour cherries grown in Colorado, Kansas, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas and Wyoming shall be  $\frac{1}{2}$ ¢ higher than those named in the table. During that period the Column 5 prices for red sour cherries grown in States east of those named shall be 5¢ higher than those named in the table.

This amendment shall become effective at 12:01 a. m., July 1, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

Approved June 28, 1945.

ASHLEY SELLERS,  
Assistant War Food Administrator.

I find that the foregoing amendment makes an appropriate allowance for reduction in the merchantable crop yield of red sour cherries.

WILLIAM H. DAVIS,  
Economic Stabilization Director.

[F. R. Doc. 45-11767; Filed, June 30, 1945;  
3:14 p. m.]



## PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426, Amdt. 121]

## FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

1. Appendix H, paragraph (b) is amended in the following respects:

a. Table 2 is amended to read as follows:

TABLE 2—MAXIMUM PRICES FOR SPINACH

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points in Texas and Colorado <sup>1</sup>	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less-than-carlots or less-than-trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer <sup>4</sup>
1	Spinach in bushel containers with a net weight of 18 pounds or more.	Bushel.....	Sept.-June.....	\$1.15.....	Col. 5 price plus freight (including 3% transportation tax) from Crystal City, Texas, plus 7 cents protective service allowance. <sup>2</sup>	Column 6 price plus 45 cents.
2	Spinach in 1/2 crate (1 1/4 bushel) with a net weight of 22 1/2 pounds or more.	1/2 crate.....	July and Aug.....	\$1.50.....	Col. 5 price plus freight (including 3% transportation tax) from Del Norte, Colorado, plus 10 cents protective service allowance. <sup>2</sup>	Column 6 price plus 56 cents.
3	Spinach in bushel containers with a net weight of less than 18 pounds and in all other containers. <sup>3</sup>	Pound.....	Sept.-June.....	6.4 cents.....	Maximum price above (item 1) divided by 18.	Column 6 price plus 2 1/2 cents per pound.
4	Spinach in 1/2 crates with a net weight of less than 22 1/2 pounds and in all other containers. <sup>3</sup>	Pound.....	July and Aug.....	6.7 cents.....	Maximum price above (item 2) divided by 22 1/2.	Column 6 price plus 3 cents per pound.

<sup>1</sup> The maximum prices in column 5 for items 1 and 3 apply to sales f. o. b. shipping points in Texas only and those for items 2 and 4 apply to sales f. o. b. shipping points in Colorado.

<sup>2</sup> No protective service allowance shall be added on sales in September through June at wholesale receiving points in that part of Texas south of and including the following counties: Bastrop, Blanco, Edwards, Galveston, Gillespie, Harris, Kerr, Lee, Travis, Val Verde, Waller and Washington.

<sup>3</sup> The maximum price for spinach sold in bulk (loose without containers or in containers furnished by the buyer) shall be 1 1/2 cents per pound less than for items 3 and 4.

<sup>4</sup> For sales covered by column 7 see general provisions of the appendix.

b. In Table 4, Items 5a, 5b, 11a and 11b are inserted to read as follows:

TABLE 4.—MAXIMUM PRICES FOR SNAP BEANS (GREEN OR WAX)

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7
Item No.	Type, variety, style of pack, etc.	Unit	Season	Maximum prices f. o. b. shipping points <sup>1</sup>	Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less-than-carlots or less-than-trucklots delivered to the premises of any retail store, Government procurement agency or institutional buyer <sup>4</sup>
*5a	• •	•	•	•	• •	• •
	Snap beans in bushel containers with a net weight of 28 pounds or more.	Bushel.....	July 1-July 15.....	\$2.40.....	Column 5 price plus freight (including 3% transportation tax) from Faison, North Carolina, for all markets east of and including Chicago, Illinois, or from San Jose, California, for all markets west of Chicago, Illinois; plus 10 cents for protective service.	Column 6 price plus 75 cents.
5b			July 16-Sept. 30....	\$2.40.....	Column 5 price plus freight (including 3% transportation tax) from shipping point plus actual cost of protective services not to exceed common carrier's lowest charge for the same services.	Column 6 price plus 75 cents.
•	• •	•	•	•	• •	• •
11a	Snap beans in bushel containers with a net weight of less than 28 pounds and in all other containers. <sup>2</sup>	Pound.....	July 1-July 15.....	8.6 cents per lb....	Maximum price above (item 5a) divided by 28.	Column 6 price plus 2.7 cents per pound.
11b			July 16-Sept. 30....	8.6 cents per lb....	Maximum price above (item 5b) divided by 28.	Column 6 price plus 2.7 cents per pound.
•	• •	•	•	•	• •	• •

<sup>1</sup> Maximum prices for shipping point apply only to Florida Nov.-Feb., to Fla. & Calif., Mar.-June, to N. Carolina, July 1-15, to all other areas July 16-Sept. 30, and to Florida and California in October.

<sup>2</sup> For all wholesale receiving points in the State of Florida for the period November 1 to June 30 and in California during the period March 1-June 30 no allowance shall be added for protective services.

<sup>3</sup> The maximum price for snap beans sold in bulk (loose without containers) shall be 1 cent per pound less than the prices per pound listed in Columns 5, 6 or 7.

<sup>4</sup> For sellers covered by Column 7, see general provisions of this Appendix.

<sup>5</sup> During the period beginning June 18 and ending June 30, 1945, the Column 6 price for snap beans grown in Arkansas and Tennessee shall be based on \$3.00 rather than \$2.70; and the Column 6 price for snap beans grown in Delaware, Maryland, New Jersey and Virginia shall be based on \$2.85 rather than \$2.70.

c. In table 7, footnote reference 7 is added to Items 4a, 8a, 12a and 16 a in Column 4 and footnote 7 is added to read as follows:

<sup>7</sup> This regulation shall not apply to cucumbers during August and September 1945.

d. In Table 13, footnote reference 6 is added to the title of the table and footnote 6 is added to read as follows:

<sup>6</sup> This regulation shall not apply to cabbage during July, August and September 1945.



e. Table 14 is amended to read as follows:

TABLE 14—MAXIMUM PRICES FOR SWEETPOTATOES

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5		Col. 6	Col. 7
Item No.	Area of production	Unit	Season	Maximum prices f. o. b. shipping point		Maximum prices for sales delivered to any wholesale receiving point in any quantity	Maximum prices for sales by certain persons in less-than-carlots or less-than-trucklots delivered to the premises of any retail store Government procurement agency or institutional buyer <sup>1</sup>
				For uncured sweetpotatoes	For cured sweetpotatoes		
				Cents	Cents		
1	Sweetpotatoes grown in Louisiana and Texas and packed in any container. <sup>1</sup>	Per pound....	July 1-August 31.....	6.50	7.22	Column 5 price <sup>2</sup> for items 1-9 plus freight from Sunset, Louisiana.	Column 6 price plus 1 cent.
2			September 1-September 15.....	5.32	5.91		
3			September 16-October 31.....	4.06	4.51		
4			November 1-November 15.....	4.68	5.20		
5			November 16-January 31.....	5.54	6.16		
6			February.....	5.70	6.40		
7			March.....	6.13	6.87		
8			April.....	6.40	7.11		
9			May and June.....	6.72	7.47		
10	Sweetpotatoes grown in Alabama, Arkansas, Florida, Georgia, Mississippi, Oklahoma, South Carolina and Tennessee and packed in any container. <sup>1</sup>	Per pound....	July 1-August 31.....	6.70	7.44		
11			September 1-September 15.....	5.52	6.13		
12			September 16-October 31.....	4.26	4.73		
13			November 1-November 15.....	4.88	5.42		
14			November 16-January 31.....	5.74	6.38		
15			February.....	5.96	6.62		
16			March.....	6.38	7.09		
17			April.....	6.60	7.33		
18			May and June.....	6.92	7.69		
19	Sweetpotatoes grown in Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Missouri, New Jersey, New Mexico, North Carolina, Virginia and packed in any container. <sup>1</sup>	Per pound....	July 1-August 31.....	6.90	7.67		
20			September 1-September 15.....	5.72	6.36		
21			September 16-October 31.....	4.46	4.96		
22			November 1-November 15.....	5.08	5.64		
23			November 16-January 31.....	5.94	6.60		
24			February.....	6.16	6.84		
25			March.....	6.58	7.31		
26			April.....	6.80	7.56		
27			May and June.....	7.12	7.91		
28	Sweetpotatoes grown in California and packed in any container. <sup>1</sup>	Per pound....	July 1-August 31.....	7.30	8.11		
29			September 1-September 15.....	6.12	6.80		
30			September 16-October 31.....	4.86	5.40		
31			November 1-November 15.....	5.48	6.09		
32			November 16-January 31.....	6.34	7.04		
33			February.....	6.56	7.29		
34			March.....	6.98	7.76		
35			April.....	7.20	8.00		
36			May and June.....	7.52	8.36		

<sup>1</sup> For sweetpotatoes sold in bulk (loose without containers or in containers furnished by the buyer), the maximum price is  $\frac{1}{2}$  cent less than that for sweetpotatoes sold in containers.

<sup>2</sup> In figuring a price under Column 6, regardless of where the potatoes were grown, use the Column 5 price for item 1-9 applicable (for uncured or cured potatoes as the case may be) on the date of the sale delivered at wholesale receiving point.

<sup>3</sup> For sales covered by Column 7, see general provisions of this appendix.

## 2. In Appendix H, paragraph (c), Item 5 of the Table of Maximum Markups is amended to read as follows:

TABLE OF MAXIMUM MARKUPS TO BE ADDED TO THE APPLICABLE MAXIMUM PRICE F. O. B. SHIPPING POINT OR THE MAXIMUM DELIVERED PRICE, AS THE CASE MAY BE (See columns 5 and 6 of tables in paragraph (b))

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 10
Item No.	Commodity	Unit <sup>1</sup>	Sales by a grower or country shipper <sup>1</sup>		Sales by anyone other than a grower or country shipper who has purchased a carlot or trucklot, and sells such a carlot or trucklot unbroken	Sales by carlot receivers in less-than-carlots or less-than-trucklots. (For sales by carlot receivers through auction the markups named in Column 4 shall be applied.)	Sales by secondary jobbers in any quantity delivered to the premises of the purchaser	Sales by a service wholesaler delivered to the premises of any retail store, Government procurement agency or institutional buyer within free delivery zone <sup>2</sup>	
			Through a broker, shipper's sales agent or commission merchant in carlots or trucklots or through broker, shipper's sales agent at auction in less-than-carlot or less-than-trucklot	Through a commission merchant in less-than-carlots or less-than-trucklots				Half container or larger or in bulk in any quantity	Less than half container
•	•	•	•	•	•	•	•	•	•
5	Spinach	Bushel	\$0.07	\$0.25	\$0.07	\$0.25	\$0.45	\$0.45	
		$\frac{1}{2}$ crate	\$0.09	\$0.31	\$0.09	\$0.31	\$0.56	\$0.56	
		Other containers or in bulk	$\frac{1}{10}$ cents per lb.	$\frac{1}{10}$ cents per lb.	$\frac{1}{10}$ cent per lb.	$\frac{1}{10}$ cents per lb.	$\frac{2}{10}$ cents per lb.	$\frac{2}{10}$ cents per lb.	$\frac{3}{10}$ cents per lb.

<sup>1</sup> Charges determined under MPR 165 shall be used instead of those listed in this table if such charges are lower than the markups listed.

<sup>2</sup> Markups listed in Column 9 are on a full container basis (except where otherwise specified.) Where the total quantity sold is a half-container or larger but less than a full container, the per pound or other unit markup shall be used, whether the goods are sold in a container or in bulk. Where the total quantity sold is in less than a half container the per pound or unit markup in Column 10 shall be used. Column 10 shall not apply to sales made in bulk.

<sup>3</sup> The bushel and crate containers listed in this column must contain the minimum net weights specified in Column 2 of the applicable table in paragraph (b). For bushels and crates containing less than this minimum net weight the per pound markup shall apply.

This amendment shall become effective at 12:01 a. m., June 30, 1945.

Issued this 29th day of June 1945.

CHESTER BOWLES,  
Administrator.

Approved June 28, 1945.

ASHLEY SELLERS,  
Assistant War Food Administrator.

For the reasons set forth in the statement of considerations accompanying the foregoing amendment, I find that the increase in maximum prices for sweetpotatoes made by that amendment is necessary to aid in the effective prosecution of the war.

WILLIAM H. DAVIS,  
Economic Stabilization Director.

[F. R. Doc. 45-11602; Filed, June 29, 1945; 4:39 p. m.]



## PART 1420—BREWERY, WINERY AND DISTILLERY PRODUCTS

[MPR 445, Amdt. 26]

## DISTILLED SPIRITS AND WINES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 445 is amended in the following respects:

1. Section 2.3 (c) (1) and (2) is amended by deleting the words "January, 1945" wherever the same appear in the column headings of the tables contained therein and substituting in lieu thereof the word "thereafter".

2. Paragraph (h) of Appendix DD to Article IV is amended by deleting the date "1941" and "1942" appearing therein and substituting in lieu thereof, "1942" and "1943", respectively.

3. The heading of section 5.1 (a) (5) is amended to read as follows:

(5) Sales to consumers at auction or otherwise.

4. Subparagraphs (6), (8), and (9) of section 5.1 (a) are amended by adding at the end of each the words "when made to consumers".

5. The introductory text to section 5.1 (b) is amended by deleting therefrom the words "by those persons".

6. Subparagraphs (1), (2), (3), and (4) of section 5.1 (b) are redesignated (2), (3), (4) and (5), respectively, and a new subparagraph (1) is added to section 5.1 (b) to read as follows:

(1) Sales of the type described in section 5.1 (a), (5), (6), (8), and (9) when made to persons other than consumers. Such sales are exempt from price control.

7. Subparagraph (1) is added to section 5.3 (a) to read as follows:

(1) Where a wholesaler, retailer or monopoly state makes a purchase at a sale of the type described in section 5.1 (a) (5), (6), (8), and (9) such purchase shall not be used by the wholesaler, retailer, or monopoly state as a "base purchase" to determine the "net cost" of the item. A wholesaler's, retailer's, or monopoly state's maximum price for a particular sale of an item so purchased shall be the maximum price which such seller established for a corresponding sale of the same item purchased from a customary type of supplier. If the wholesaler, retailer, or monopoly state has not established a maximum price for the same item purchased from a customary supplier, the maximum price for a particular sale of an item purchased at a sale of the type described in section 5.1 (a) (5), (6), (8), and (9) shall be the maximum price which such seller established for a corresponding sale of the most similar item purchased from a customary type of supplier; or if such seller has not established a maximum price for a similar item, the maximum price established for a corresponding sale of the same item by such seller's most closely competitive seller; or if such seller's most

closely competitive seller has not established a maximum price for the same item, the maximum price which the most closely competitive seller established for a corresponding sale of a most similar item. If the wholesaler, retailer, or monopoly state is unable to establish a maximum price in accordance with this subparagraph (1), he shall file an application for authority to establish a maximum price pursuant to section 5.10.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11784; Filed, June 30, 1945; 4:04 p. m.]

## PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[2d Rev. MPR 487, Amdt. 1]

## WHEAT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Maximum Price Regulation 487 is amended in the following respects:

1. Section 2.6 (a) (4) is amended by adding the following sentence at the end thereof: "Furthermore, the markups provided in paragraphs (a) (2) and (a) (3) of this section shall not be added on the sale of any lot of wheat originating in the state of Montana."

2. Section 2.6 (b) (4) is amended by adding the following sentence at the end thereof: "Furthermore, the markups provided in paragraphs (b) (2) and (b) (3) of this section shall not be added on the sale of any lot of wheat originating in the state of Montana."

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

Approved: June 30 1945.

MARVIN JONES,  
War Food Administrator.

[F. R. Doc. 45-11782; Filed, June 30, 1945; 4:03 p. m.]

## PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1, Amdt. 103]

## DISTILLED SPIRITS AND WINES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Paragraph (1) is added to section 5.2 of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation to read as follows:

10 F.R. 2435, 2479, 2757, 3236, 3947, 4107, 4494, 5458, 7196, 7497.

(1) Distilled spirits and wines when sold to persons other than consumers either by a court officer pursuant to statute, judicial decree or writ or by governmental bodies or agencies, pursuant to statute, ordinance, or both, not including sales by monopoly states.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11783; Filed, June 30, 1945; 4:04 p. m.]

## PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Supp. Service Reg. 56]

## LINEN SUPPLY SERVICE IN THE DETROIT AREA

A statement of the considerations involved in the issuance of this Supplementary Service Regulation No. 56 has been filed with the Division of the Federal Register. For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Supplementary Service Regulation No. 56 is hereby issued. The specifications and standards set forth in this supplementary service regulation are those which, prior to the issuance of the regulation, were in general use by the trade in the affected areas.

§ 1499.697 *Linen supply services in the Detroit area*—(a) *Maximum prices.* The maximum prices established by Revised Maximum Price Regulation No. 165 for linen supply services when supplied by sellers located in the geographical area described below are hereby modified and henceforth shall be the prices set forth in Appendix A, except for "large accounts" as herein defined. Lower prices than those established by this regulation may be charged.

(b) *Geographical area.* This regulation applies to the linen supply establishments located in the corporate limits of the following area:

The counties of Wayne, Oakland, and Macomb, in the State of Michigan.

(c) *Nature of accounts*—(1) *Large accounts.* The maximum prices for a "large account" shall remain subject to the provisions of Revised Maximum Price Regulation 165, and any applicable supplementary service regulation.

"Large account" means a volume of \$50 or more of linen supply service sold or delivered to a place of business during the calendar week ending June 16, 1945; it also means an account above the \$50 weekly minimum which has been designated as a "large account" by an OPA order in accordance with the provisions of paragraph (c) (2) below.

(2) *Change in nature of accounts.* If the weekly volume of an account increases to \$50 or more or if a "large account" decreases in volume below such weekly amount, and such increase or decrease continues for four consecutive



weeks, the appropriate OPA office may upon presentation of satisfactory evidence by the supplier or the purchaser issue an order reclassifying such account. Upon such reclassification, the account shall then be subject to the appropriate maximum prices for its size in accordance with the provisions of this regulation.

(d) *Applicability of Revised Maximum Price Regulation 165.* Except as provided to the contrary, all the other provisions of Revised Maximum Price Regulation 165 and any applicable supplementary service regulation shall apply to the linen service suppliers subject to this regulation.

(e) *Definitions.* (1) "Linen supply service" means the providing of clean linens and/or garments which are owned by the supplier to industrial, commercial, or professional users.

(2) "Linens" is not confined to articles made of linen textiles, but includes all articles of whatsoever fabric made, which are commonly embraced by that term.

(3) The designations of items of laundry services used in this regulation shall be given their ordinary trade meanings as used in the affected areas unless indicated to the contrary herein.

(4) "Special" when used in connection with linen supplies means an item made of damask material or other special quality, color or design or specially tailored according to specifications previously ordered by a purchaser.

(f) *Notice requirements.* Within 30 days from the effective date of this regulation, every seller of linen supply service covered by this regulation shall notify each of his customers of the maximum prices established herein.

(g) *Invoices.* Seller's invoices or bills must describe the items of service supplied in the terms used in this regulation.

(h) *Elimination of individual adjustments.* On and after the effective date of this supplementary service regulation, the provisions of section 16 of Revised Maximum Price Regulation 165 shall no longer be available to sellers covered by this regulation as to the services listed herein; furthermore, any adjustment in prices heretofore granted to any establishment is hereby revoked as to the services listed in Appendix A.

(i) *Delegation of authority.* The Cleveland Regional Administrator and the Detroit District Director when authorized by the Cleveland Regional Administrator, may administer the provisions of this supplementary service regulation.

#### APPENDIX A

1. Aprons—Bib and Bar	\$0.10
2. Aprons—Industrial	.15
3. Aprons—Tea	.09
4. Bar Mops or Towels	.045
5. Caps and Headbands	.10
6. Coats (Plain)	.30
7. Coats (Special)	.35
8. Coats Dental (colored)	.35
9. Frocks colored	.40
10. Dress, Smock or Hoover	.40
11. Dress (Special)	.42
12. Frocks, Butcher	.38
13. Gowns, Barber (colored)	.35
14. Gowns or Frocks (Professional)	.365
15. Haircloths, Barber or Beauty	.12

16. Luggers, Butcher	\$0.40
17. Napkins, (Plain or corded)	.0115
18. Napkins, Damask—20"	.0135
19. Napkins, Damask—22"	.0165
20. Nurses' Uniforms	.40
21. Pillow Slips	.05
22. Sheets (Regular)	.11
23. Sheets (Small)	.10
24. Shirts, White	.20
25. Table Tops—36" to 45"	.08
26. Table Cloths—54" to 64"	.10
27. Table Cloths (colored)	.15
28. Towels, Bath (20" x 40" and 22" x 44")	.05
29. Towels, Bath (Small) 18" x 36"	.045
30. Towels, Barber 16" x 27"	.0125
31. Towels, Beauty 16" x 32"	.0175
32. Towels, Barber or Beauty (Steamer) 16" x 27"	.03
33. Towels, Bowling Alley (Hand)	.07
34. Towels, Dental	.025
35. Towels, Glass	.0325
36. Towels, Grommet	.01
37. Towels, Hand or Face (Large) 18" x 36"	.035
38. Towels, Hand or Face (Small) 16" x 32"	.025
39. Towels, Kitchen	.0325
40. Towels, Porter	.015
41. Towels, Roller (2 yard)	.10
42. Towels, Shop	.02
43. Trousers	.40

#### TOWEL SERVICE

Individual Locked-on Towel, cabinet service:	
	Per month
25 towels per week	\$1.75
50 towels per week	3.00
75 towels per week	4.25
100 towels per week	5.25
125 towels per week	6.25
150 towels per week	7.25

#### Per hundred

151 towels up to and including 200 per week	\$1.00
201 towels up to and including 500 per week	.95
501 towels up to and including 1,000 per week	.85
1,001 towels and over per week	.75

#### Per month

Roller towels, including one cabinet:	
3 towels per week	\$1.75
Each additional towel up to and including 30 towels per week	.35
Each additional towel over 30 per week	.30
Each additional cabinet	.25

#### Hand towels, including one cabinet:

4 towels per week	1.50
6 towels per week	1.75
Each additional towel up to and including 50 towels per week	.25
Each additional towel over 50 per week	.20
Each additional cabinet	.25

#### Rags:

2 lb. rags per week	2.50
Per pound	
Rags per pound	\$0.25

#### Continuous towel, cabinet service:

25 yard rolls	
	Each
1 up to and including 10 rolls per month	\$0.50
11 up to and including 25 rolls per month	.45
26 up to and including 100 rolls per month	.40
Over 100 rolls per month	.35
First two cabinets minimum charge each	8.00
Over two cabinets minimum charge each	2.50

#### TOWEL SERVICE—Continued

Continuous service, cabinet service—Con.	
37½ yard rolls	
	Each
1 up to and including 10 rolls per month	\$0.55
11 up to and including 25 rolls per month	.50
26 up to and including 100 rolls per month	.45
Over 100 rolls per month	.40
Per month	
First two cabinets minimum charge each	\$3.00
Over two cabinets minimum charge each	2.50
50 yard rolls	
	Each
1 up to and including 25 rolls per month	\$0.60
26 up to and including 50 rolls per month	.55
51 up to and including 100 rolls per month	.50
Over 100 rolls per month	.45
Per month	
First two cabinets minimum charge each	\$3.00
Over two cabinets minimum charge each	2.50

#### INDUSTRIAL OVERALL SUPPLY

#### WEEKLY CHARGE RATES

Overalls and coats:	
	Per week
1 change per person	\$0.60
2 changes per person	1.10
3 changes per person	1.50
4 changes per person	1.90
5 changes per person	2.25
6 changes per person	2.50
Shirts and pants:	
1 change per person	.70
2 changes per person	1.25
3 changes per person	1.75
4 changes per person	2.20
5 changes per person	2.65
6 changes per person	3.00

This supplementary service regulation shall become effective July 9, 1945.

Issued this 3d day of July 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11945; Filed, June 3, 1945;  
11:41 a. m.]

#### Chapter XVIII—Office of Economic Stabilization

[Directive 62]

#### PART 4003—SUPPORT PRICES: SUBSIDIES

#### DELEGATION OF AUTHORITY TO OFFICE OF PRICE ADMINISTRATION WITH RESPECT TO LIVESTOCK SLAUGHTER PAYMENTS MADE TO INELIGIBLE PERSONS

Pursuant to the authority vested in me as Director of Economic Stabilization by the Act of June 26, 1945 (Public Law 88, 79th Congress, First Session), entitled "An Act to permit the continuation of certain subsidy payments and certain purchase and sale operations by corporations created pursuant to section 5d (3) of the Reconstruction Finance Corporation Act, as amended, and for other purposes", hereinafter referred to as the act; *It is hereby ordered:*

1. The Price Administrator of the Office of Price Administration is authorized and directed to perform all of the functions assigned to the Director of Economic Stabilization by section 2 of the



act. Specifically, but without limitation, the Price Administrator is authorized and directed to make all of the determinations provided for in section 2 of the act; to prescribe rules of procedure governing proceedings for relief pursuant to that section; to appear and defend his determinations in the Emergency Court of Appeals; and to take any action necessary and appropriate to the performance of the duties assigned by section 2 of the act to the Director of Economic Stabilization, to the full extent of the authority conferred upon the Director of Economic Stabilization by that section.

2. The authority hereby delegated to the Price Administrator may be exercised through such employees of the Office of Price Administration as the Price Administrator may designate.

3. Defense Supplies Corporation is directed to make available to the Price Administrator, upon request, all information and documents in its possession relating to any application for relief pursuant to section 2 of the act.

4. The Price Administrator is directed to certify to Defense Supplies Corporation, and to report to the Director of Economic Stabilization, his determination in each proceeding brought pursuant to section 2 of the act.

(Pub. Law 88, 79th Cong., E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp. pp. 1213, 1267)

Issued and effective this 2d day of July 1945.

WILLIAM H. DAVIS,  
Economic Stabilization Director.

[F. R. Doc. 45-11920; Filed, July 3, 1945; 11:14 a. m.]

## TITLE 46—SHIPPING

### Chapter I—Coast Guard: Inspection and Navigation

#### Appendix A—Waivers of Navigation and Vessel Inspection Laws

#### VESSELS ENGAGED IN BUSINESS CONNECTED WITH THE CONDUCT OF THE WAR

##### WAIVER OF COMPLIANCE

The Commandant, United States Coast Guard, having by order dated July 1, 1943 (8 F.R. 9164), amended by order dated January 12, 1945 (10 F.R. 582), pursuant to the authority of the order of the Acting Secretary of the Navy dated 1 October, 1942 (7 F.R. 7979) found necessary in the conduct of the war waiver compliance with the navigation and vessel inspection laws administered by the Coast Guard to the extent and in the manner and upon the terms and conditions therein set forth, and finding the following amendment necessary in the conduct of the war; *It is ordered*, That said order dated 1 July, 1943, as amended by said order dated 12 January, 1945, be and it hereby is further amended in the following respects:

1. The third and fourth sentences of paragraph numbered "1" of said order dated 1 July, 1943, as amended by said order dated 12 January, 1945, are de-

leted and there is inserted in lieu thereof the following "The application shall be delivered to the District Coast Guard Officer or to his designated representative at the port or place where the vessel is located. In the case of vessels in any port or place of the Canal Zone or in any foreign port or place, the application shall be made to the designated representative of the Commandant at such port or place or if the Coast Guard has not established facilities in such port or place to the nearest designated representative of the Commandant at a port or place where such facilities have been established."

Dated: July 3, 1945.

R. R. WAESCHE,  
Admiral, U. S. Coast Guard,  
Commandant.

[F. R. Doc. 45-11948; Filed, July 3, 1945; 11:44 a. m.]

## Chapter III—War Shipping Administration

[Gen. Order 34, Supp. 2]

### PART 306—GENERAL AGENTS AND AGENTS COMPENSATION PAYABLE TO GENERAL AGENTS, AGENTS, AND BERTH AGENTS

Section 306.100 *Effective date* is amended by adding the following:

(e) The rates of compensation payable pursuant to §§ 306.71 to 306.100 inclusive (General Order 34 and the supplements thereto) are hereby suspended as of July 1, 1945, at 12:01 a. m. Pending a determination of the rate of compensation payable on and after July 1, 1945, there shall be paid to the agents, on account, the compensation heretofore authorized pursuant to §§ 306.71 to 306.100 inclusive (General Order 34) subject to such adjustment as may be necessary to conform with the new rate schedules hereafter to be issued.

(E.O. 9054, 3 CFR Cum. Supp.)

E. S. LAND,  
Administrator.

JULY 2, 1945.

[F. R. Doc. 45-11906; Filed, July 3, 1945; 10:14 a. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

#### PART 10—STEAM ROADS: UNIFORM SYSTEM OF ACCOUNTS

##### DEPRECIATION ACCOUNTING FOR ROAD PROPERTY

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 25th day of June A. D. 1945.

In the matter of Uniform System of Accounts to be Kept by Steam Railroads.

The "Uniform System of Accounts for Steam Railroads, Issue of 1943" (Part 10 of Title 49, Code of Federal Regulations), being under consideration by the division:

And it appearing, that depreciation accounting for road property was made optional as to class II and class III steam railroads until January 1, 1946, by our order dated July 28, 1943, as supplemented by our order dated July 11, 1944;

And it further appearing, that circumstances which justified our orders to that effect have not changed as they relate to class III steam railroads;

*It is ordered*, That the mandatory requirement for accounting for depreciation of road property be, and it is hereby, postponed as to class III steam railroads until January 1, 1947;

*And it is further ordered*, That effective January 1, 1946, class II steam railroads shall comply with the effective accounting regulations relating to depreciation of road property.

By the Commission, Division 1.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-11922; Filed, July 3, 1945; 11:27 a. m.]

[6th Rev. S. O. 259, Amdt. 7]

## PART 95—CAR SERVICE

### PERMIT REQUIRED FOR SHIPMENT OF IRISH POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 2d day of July, A. D. 1945.

Upon further consideration of Sixth Revised Service Order No. 259 (10 F.R. 4266), as amended (10 F.R. 4360, 5603, 5764, 6314, 6598, 7813), and good cause appearing therefor: *It is ordered*, That:

Sixth Revised Service Order No. 259 (10 F.R. 4266), as amended (10 F.R. 4360, 5603, 5764, 6314, 6598, 7813) be, and it is hereby, further amended by substituting the following paragraph (f) and Appendix A for paragraph (f) and Appendix A thereof:

(f) *Expiration date*. This order shall expire at 11:59 p. m., e. w. t., July 31, 1945, unless otherwise modified, changed, suspended, or annulled by order of this commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 40 U.S.C. 1 (10)-(17)).

## APPENDIX A

Section No. 8: The County Kern in the State of California.

Section No. 9: Eliminated. Was certain counties in North Carolina.

Section No. 10: The Counties of Accomac and Northampton in the State of Virginia.

*It is further ordered*, That this amendment shall become effective at 12:01 a. m., July 4, 1945, and shall vacate and set aside Amendment No. 6 to Sixth Revised Service Order No. 259 on the effective date hereof; that copies of this order shall be served upon the State railroad regulatory bodies of the States of California, North Carolina, and Virginia, and upon the Association of American Rail-



roads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 45-11921; Filed, July 3, 1945;  
11:27 a. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

Bureau of Mines.

COLLIER H. BUFFINGTON

#### ORDER DENYING FUTURE LICENSES

In the matter of licensee Collier H. Buffington, Gold Beach, Ore. Proceedings for revocation of license.

Based upon the records in this matter, I make the following findings of fact:

1. On May 17, 1945, a specification of charges against you setting forth violations of which you were accused under the Federal Explosives Act (55 Stat. 863), as amended, was mailed to you giving you notice to mail an answer within 15 days from May 17, 1945, answering the charges against you and requesting an oral hearing if you wished.

2. More than 35 days have elapsed since May 17, 1945. The length of time required for mail to be delivered to the Bureau of Mines, Washington 25, D. C., from Gold Beach, Oregon, does not exceed seven days. No answer has been received from you.

3. On or about March 6, 1945, you stored high explosives otherwise than in a magazine complying with the standards set forth in the regulations and you thereby violated sections 24 and 25 of the regulations issued pursuant to the Federal Explosives Act.

4. On or about November 2, 1944, you stored detonators otherwise than in a magazine meeting the standards set forth in the regulations and you thereby violated sections 24 and 27 of the regulations issued pursuant to the Federal Explosives Act.

5. On or about November 2, 1944, you permitted C. J. Fowler, a person not individually licensed under the act, to have access to and possession of detonators in a barn on your farm near Ophir, Oregon, and you thereby violated section 4 (b) (4) of the regulations issued pursuant to the Federal Explosives Act.

6. Purchaser's License No. 54675 issued to you under the Federal Explosives Act expired on May 17, 1945, and you are not now licensed under the act.

Now, therefore, by virtue of the authority vested in me by the Federal Explosives Act, and the regulations thereto, I hereby order:

That no license hereafter be issued to you under the Federal Explosives Act.

Any request for a modification of this order shall be addressed to me.

This order shall be published in the FEDERAL REGISTER.

Dated at Washington, D. C., this 26th day of June 1945.

R. R. SAYERS,  
Director.

[F. R. Doc. 45-11848; Filed, July 2, 1945;  
2:22 p. m.]

### Office of the Secretary.

#### ADMINISTRATION OF CONNALLY ACT

##### APPROVAL OF FORMS

##### Correction

In Federal Register Document 45-11562, appearing at page 8074 of the issue for Saturday, June 30, 1945, the date in the last two lines should read "February 22, 1934."

### OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 3, Rev. 753]

FORT WAYNE, MARION, AND INDIANAPOLIS,  
IND.

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and prac-

tices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of De-

<sup>1</sup> Filed as part of the original document.



fense Transportation, Washington 25, D. C.

This order shall become effective July 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3rd day of July 1945.

GUY A. RICHARDSON,  
Director,  
Highway Transport Department,  
Office of Defense Transportation.

#### APPENDIX 1

Commercial Motor Freight, Inc., of Indiana, Indianapolis, Ind.

The Silver Fleet Motor Express, Inc., Louisville, Ky.

Keeshin Motor Express Co., Inc., Chicago, Ill.

Motor Express Inc. of Indiana, Indianapolis, Ind.

[F. R. Doc. 45-11854; Filed, July 2, 1945; 3:19 p. m.]

[Supp. Order ODT 3, Rev. 755]

#### LOUISVILLE, KY. AND CINCINNATI, OHIO COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory

body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3rd day of July 1945.

GUY A. RICHARDSON,  
Director,  
Highway Transport Department,  
Office of Defense Transportation.

#### APPENDIX 1

Mrs. Estelle W. Doyle, doing business as Doyle Transfer Line, Carrollton, Ky.

Huey Motor Express, Inc., Florence, Ky.

Johnson Freight Lines, Inc., Chattanooga, Tenn.

The C & D Motor Delivery Company, Cincinnati, Ohio.

[F. R. Doc. 45-11856; Filed, July 2, 1945; 3:20 p. m.]

[Supp. Order ODT 3, Rev. 756]

#### CINCINNATI, OHIO, AND LEXINGTON, KY.

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of serv-

<sup>1</sup>Filed as part of the original document.



ice by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3rd day of July 1945.

GUY A. RICHARDSON,  
Director,  
Highway Transport Department,  
Office of Defense Transportation.

#### APPENDIX 1

The C & D Delivery Company, Cincinnati, Ohio.

Raymond Lee Dance, doing business as R. L. Dance Trucking Company, Cincinnati, Ohio.

Ecklar-Moore Express, Inc., Cythania, Ky.

[F. R. Doc. 45-11855; Filed, July 2, 1945; 3:19 p. m.]

[Supp. Order ODT 3, Rev. 757]

#### INDIANA

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those

that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of July 1945.

GUY A. RICHARDSON,  
Director,  
Highway Transport Department,  
Office of Defense Transportation.

<sup>1</sup> Filed as part of the original document.



## APPENDIX 1

Interstate Motor Freight System, Inc., of  
Indiana, Indianapolis, Ind.  
Hayes Freight Lines, Inc., Mattoon, Ill.

[F. R. Doc. 45-11852; Filed, July 2, 1945;  
3:19 p. m.]

[Supp. Order ODT 3, Rev. 760]

MINNEAPOLIS-ST. PAUL, MINN., AND FARGO,  
N. DAK.

COORDINATED OPERATIONS OF CERTAIN  
CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any

act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of July 1945.

GUY A. RICHARDSON,  
Director,

High Transport Department,  
Office of Defense Transportation.

## APPENDIX 1

Dakota Transfer & Storage Company,  
Minot, N. Dak.

Ace Lines, Inc., Fargo, N. Dak.

[F. R. Doc. 45-11853; Filed, July 2, 1945;  
3:19 p. m.]

[Supp. Order ODT 6A-138]

DOVER AND ST. GEORGES, DEL., AND INTER-  
MEDIATE POINTS

COORDINATED OPERATIONS OF CERTAIN  
CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier

<sup>1</sup> Filed as part of the original document.



subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of July 1945.

GUY A. RICHARDSON,  
Director,  
Highway Transport Department,  
Office of Defense Transportation.

#### APPENDIX 1

Victor Lynn Lines, Inc., Salisbury, Md.  
Masten Trucking Company, Inc., Milford, Del.

[F. R. Doc. 45-11849; Filed, July 2, 1945;  
3:18 p. m.]

[Supp. Order ODT 6A-139]

NEW HAVEN, CONN.

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in

Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this or-

<sup>1</sup> Filed as part of original document.

der shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of July 1945.

GUY A. RICHARDSON,  
Director,  
Highway Transport Department,  
Office of Defense Transportation.

#### APPENDIX 1

H. C. Roulston, Inc., New York, N. Y.  
Connecticut Transfer, Incorporated,  
Orange, Conn.

[F. R. Doc. 45-11850; Filed, July 2, 1945;  
3:18 p. m.]

[Supp. Order ODT 6A-140]

PORTLAND, OREG.

#### COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,<sup>1</sup> and



It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for ex-

amination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective July 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of July 1945.

GUY A. RICHARDSON,  
Director,

Highway Transport Department,  
Office of Defense Transportation.

#### APPENDIX 1

Inland Motor Freight, Spokane, Wash.  
Pacific Highway Transport, Inc., Seattle, Wash.

[F. R. Doc. 45-11851; Filed, July 2, 1945;  
3:18 p. m.]

#### OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Amdt. 1 to Order 3446]

#### SPECTACLE PROGRAM OF THE NAVY DEPARTMENT

##### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159b of Maximum Price Regulation No. 188; *It is ordered*:

That Order No. 3446 under Maximum Price Regulation No. 188 is amended in the following respect:

The last sentence of paragraph (a) (1) is amended to read as follows: "No sale may be made pursuant to this order after June 30, 1946."

This amendment shall become effective as of the 30th day of June 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11860; Filed, July 2, 1945;  
4:33 p. m.]

[MPR 61, Order 7]

#### 13 INCH MILITARY SOLE LEATHER STRIPS

##### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Section 11 of Maximum Price Regulation 61, *It is ordered*:

(a) On and after June 30, 1945, the maximum price, f. o. b. seller's shipping point, at which any person may sell or deliver the leather specified below shall be:

13 INCH MILITARY SOLE LEATHER STRIPS

Meeting the specifications contained in Quartermaster Corps Tentative Specification B. Q. D. No. 240, dated July 31, 1944, Amendment No. 1, June 26, 1945—Item No. 13—34-L-1125. Leather, Sole, Strips.

Price per pound..... 65 cents.

(b) The maximum price specified in paragraph (a) above for the sale of leather therein described shall supersede and replace any and all maximum prices previously established for such sales.

(c) Terms of sale shall be cash less 1% discount for payment within 30 days, net cash thereafter.

(d) This order may be amended or revoked by the Office of Price Administration at any time.

(e) This Order No. 7 shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11765; Filed, June 30, 1945;  
3:14 p. m.]

[MPR 61, Amdt. 1 to Order 4]

#### LIMED, PICKLED AND BLUE CHROME SPLITS

##### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 11 of Maximum Price Regulation 61, *It is ordered*:

Paragraph (f) is amended to read as follows:

(f) This order shall be valid until August 1, 1945, or until the prices herein established are revised by the Office of Price Administration, whichever event first occurs.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11764; Filed, June 30, 1945;  
3:14 p. m.]



[MPR 260, Order 1361]

IRVIN S. GLADFELTER

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Irvin S. Gladfelter, Felton, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Gladys.....	Special.....	50	Per M \$80	Cents 2 for 15
Estico.....	King size.....	50	72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11672; Filed, June 30, 1945; 11:42 a. m.]

[MPR 260, Order 1362]

HARRY KISE

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Harry Kise, Craley, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Cuban.....	Invincible.....	50	Per M \$48	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely com-

petitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11673; Filed, June 30, 1945; 11:45 a. m.]

[MPR 260, Order 1363]

FLORES CIGAR FACTORY

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Flores Cigar Factory, 2303 22d St., Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Flores.....	Sensations.....	50	Per M \$60	Cents 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing dif-



ferentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11674; Filed, June 30, 1945;  
11:45 a. m.]

[MPR 260, Order 1364]

ISMAEL ESCALERA, JUAN P. RODRIGUEZ

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Ismael Escalera, Juan P. Rodriguez, Coamo, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Corona	4½ inch	50	Per M \$48	Cents 6
Tubano	4½ inch	50	40	5
Corona	4½ inch	50	56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11675; Filed, June 30, 1945;  
11:45 a. m.]

[MPR 260, Order 1365]

SHORT AND GARCIA CIGAR CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Short and Garcia Cigar Company, 2407 20th Street, Tampa 5, Florida (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Coregidos	Brevas	50	Per M \$90	Cents 12
Butans	Londres	50	90	12
Manilas	Londres-Chicos	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order; but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.



This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11676; Filed, June 30, 1945;  
11:46 a. m.]

[MPR 260, Order 1366]

CUESTA SANCHEZ & Co.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Cuesta Sanchez & Co., 2103 E. Columbus Drive, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Cigars Boniface	Londres	50	Per M \$84	8
	Coronas	50	72	9
Cuesta Sanchez	Delights	50	44	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11677; Filed, June 30, 1945;  
11:46 a. m.]

[MPR 260, Order 1367]

CHRISTIAN F. TUERMER

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Christian F. Tuermer, 10412 Avenue N, Chicago 17, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Blue Ribbon	Breva	50	Per M \$60	2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11678; Filed, June 30, 1945;  
11:46 a. m.]

[MPR 260, Order 1369]

HAPPY G. CIGAR CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Happy G. Cigar Co., 1602 9 Ave., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Happy G.	Corona Especial	50	Per M \$60	2 for 15
	Breva	50	169	22
	Coronas	50	169	22
	Panetela	50	138	18



(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11679; Filed, June 30, 1945;  
11:47 a. m.]

[MPR 260, Order 1369]

#### EL GUASO CIGAR FACTORY

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) El Guaso Cigar Factory, 918 11th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Richard the Great	Cadetes.....	50	Per M \$108.75	Cents 2 for 29

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11680; Filed, June 30, 1945;  
11:47 a. m.]

[MPR 260, Order 1370]

#### LA AUGUSTA CIGAR MFG. CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) La Augusta Cigar Mfg. Co., 213 South Broadway, Los Angeles 12, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Grandioso.....	Corona 5 inch.	50	Per M \$82.50	Cents 11
	King de Luxe.	50	97.50	13
	Corona de Luxe.	50	108.75	2 for 29
	Queens.....	50	101.25	2 for 27
La Panda.....	Exceptional.....	50	90.00	12
Grandioso.....	Panetelas.....	50	72.00	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of



the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11681; Filed, June 30, 1945;  
11:47 a. m.]

[MPR 260, Order 1371]

ROSELLO BROS.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Roselle Brothers, 2718 Nebraska Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
De Lancy.....	Coronas.....	50	Per M \$75	Cents 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manu-

facturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11682; Filed, June 30, 1945;  
11:48 a. m.]

[MPR 260, Order 1372]

EL DORADO CIGAR FACTORY

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) El Dorado Cigar Factory, 2602 13th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Wesco.....	Corona Extras.	50	Per M \$93.75	Cents 2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales

of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11683; Filed, June 30, 1945;  
11:48 a. m.]

[MPR 260, Order 1373]

LUCAS FUENTES

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Lucas Fuentes, 171 Bonview, San Francisco 10, Calif. (hereinafter called "manufacturer") and wholesalers and



retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Lord Benston	Vanderbilts	50	Per M \$90.00	Cents 12
	Colonials	50	93.75	2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

No. 132—9

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11684; Filed, June 30, 1945;  
11:48 a. m.]

[MPR 260, Order 1374]

FRANK LUGO

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Frank Lugo, 905 Freeman St., New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Coronas	Coronas	50	Per M \$93.75	Cents 2 for 25
Park Avenue	Blunts	50	60.00	2 for 15
Panetelas	Panetelas	50	60.00	2 for 15
Park Avenue	Coronita	50	56.00	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11685; Filed, June 30, 1945;  
11:49 a. m.]

[MPR 260, Order 1375]

RAMIREZ Y AROCHA CIGAR FACTORY

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Ramirez y Arocha Cigar Factory, 1915 Aremmia Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Ramirez y Arocha	Panetelas	50	Per M \$108.75	Cents 2 for 29
Verdi	Sublimes	50	101.25	2 for 27
	Corona	50	78.75	2 for 21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.



saler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11686; Filed, June 30, 1945;  
11:49 a. m.]

[MPR 260, Order 1376]

TAMPA SENORITA CIGAR CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Tampa Seniorita Cigar Co., 1906 16th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Tampa Seniorita	Cadetes.....	50	Per M \$90.00	Cents 12
	Kayos.....	50	101.25	2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11687; Filed, June 30, 1945;  
11:50 a. m.]

[MPR 260, Order 1377]

ANGELO VITAL

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, *It is ordered*, That:

(a) Angelo Vital, 367 Fulton Street, Brooklyn 1, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Gonzalo.....	Favorite De Luxe.	50	Per M \$177	Cents 23
	Corona Chica.	.....	154	20
	Petit Palma.	.....	177	23

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.



(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11688; Filed, June 30, 1945;  
11:50 a. m.]

[MPR 260, Order 1378]

PHELPS TOBACCO CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Phelps Tobacco Co., First and Denver Streets, Hastings, Nebr. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Credo.....	Excelentas.....	50	Per M \$64	Cents 8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11689; Filed, June 30, 1945;  
11:50 a. m.]

[MPR 260, Order 1379]

BORREGO CIGAR FACTORY

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Borrego Cigar Factory, P. O. Box 5909, Ybor City, Tampa, Fla. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Borrego.....	Londres 2".....	50	Per M \$93.75	Cents 2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11690; Filed, June 30, 1945;  
11:51 a. m.]

[MPR 260, Order 1380]

GUILFORD CIGAR CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) J. D. Holderfield, d/b/a Guilford Cigar Co., 600 1/2 So. Ash Street, Greensboro, N. C. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
J. D.'s Quality.....	4 3/4".....	50	Per M \$72	Cents 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or front-



mark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11691; Filed, June 30, 1945;  
11:51 a. m.]

[MPR 260, Order 1381]

ANITA CIGAR FACTORY

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Anita Cigar Factory, 2907 Ybor Street, Tampa 5, Fla. (hereinafter called

"manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Anita.....	Coronas.....	50	Per M \$56.00	Cents 7
	Anitas.....	50	115.00	15
	Brevas.....	50	161.50	21
	Kings.....	50	82.50	11
	Little Kings.....	50	56.00	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11692; Filed, June 30, 1945;  
11:51 a. m.]

[MPR 260, Order 1382]

J. & J. CIGAR CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) J. & J. Cigar Company, 27 Norwich Avenue, Norwich, Conn. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
J. & J. Superior..	5 inch Londres	50	Per M \$75	Cents 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size



or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11693; Filed, June 30, 1945;  
11:52 a. m.]

[MPR 260, Order 1383]

GOLDEN STATE CIGAR CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Golden State Cigar Company, 213 South Broadway, Los Angeles 12, Calif. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Castle Gems.....	Queens.....	50	\$90.00	12
	Panetela.....	50	75.00	10
	Club House.....	50	82.50	11
Our Country.....	Queens.....	50	75.00	10
	Corona.....	50	64.00	8
	Panetela.....	50	78.75	2 for 21
	Club House.....	50	72.00	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic

cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11694; Filed, June 30, 1945;  
11:52 a. m.]

[MPR 260, Order 1384]

B. VEGA & Co.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) B. Vega and Company, 71 Belmont Avenue, Elmont, L. I., N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Vega Rio.....	Panetela.....	50	\$48	8
	Corona.....	50	72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales

of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11695; Filed, June 30, 1945;  
11:52 a. m.]

[MPR 260, Order 1385]

PHARES J. GOCKLEY

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Phares J. Gockley, R. F. D. #3, Ephrata, Pa. (hereinafter called "manu-



facturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Dottle Lue Club House	5½	50	Per M \$72	Cents 9
John Dickson	5½	50	72	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11696; Filed, June 30, 1945;  
11:52 a. m.]

[MPR 260, Order 1386]

FELIX VANDER HAEGEN

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Felix Vander Haegen, Main St., Suncook, N. H. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Profile	Londres	50	Per M \$64	Cents 8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11697; Filed, June 30, 1945;  
11:53 a. m.]

[MPR 260, Order 1387]

MARLENA CIGAR FACTORY

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Marlena Cigar Factory, 2203 Stuart Street, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Marlena	Londres Grande Especial	50	Per M \$101.25	Cents 2 for 27
	M. D.	50	64.00	8
	Brevas	50	169.00	22
	Londres Grande	50	154.00	20
	Londres Corrientes	50	138.00	18
	Cabos	50	93.75	2 for 25
	Cabos Segundo	50	82.50	11
Londres Especiales	Corona	50	72.00	9
Marlena	Marlena Special	50	72.00	9
	Petite Marlena	50	56.00	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Pack-



ing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11698; Filed, June 30, 1945;  
11:53 a. m.]

[MPR 260, Order 1388]

MARGARET REACHARD

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Margaret Reachard, Rear E. Gay Street, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maxi-

mum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
General Topic....	Perfecto.....	50	Per M \$64	Cents 8

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11699; Filed, June 30, 1945;  
11:54 a. m.]

[MPR 260, Order 1389]

#### NORTH & SOUTH CIGAR FACTORY

##### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) North & South Cigar Factory, 1822½ 19th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
North & South Cigar Factory.	Palmitas.....	50	Per M \$93.75	Cents 2 for 25
Flor de Sana.....	Cadets.....	50	72.00	9
	Tampa Smokers.....	50	\$86.00	2 for 9
	Londres.....	50	72.00	9
	Reinas.....	50	60.00	2 for 15
	Bostons.....	50	154.00	20
	Little Samas.....	50	32.00	4

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or, frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maxi-



imum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11700; Filed, June 30, 1945;  
11:54 a. m.]

[MPR 260, Order 1390]

#### GLORIA CUBANA CIGAR FACTORY

##### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Gloria Cubana Cigar Factory, 2411 10th Avenue, Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Gloria Cubana	Glorias	50	Per M \$72	Cents 9
	Breva	50	169	22

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which max-

imum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11701; Filed, June 30, 1945;  
11:54 a. m.]

[MPR 260, Order 1391]

#### LUCKY TAMPA CIGAR FACTORY

##### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Lucky Tampa Cigar Factory, 1818 19th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Lucky Tampa	Epicures	50	Per M \$123.00	Cents 16
	Kings	50	82.50	11
	Little Kings	50	60.00	2 for 15
	Brevins	50	161.50	21

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic

cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11702; Filed, June 30, 1945;  
11:55 a. m.]

[MPR 260, Order 1392]

#### H. WEISS CIGAR MFG. CO. INC.

##### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) H. Weiss Cigar Mfg. Co. Inc., 176 East 127th Street, New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the



following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Cuban Ambassador	Imperial	50	Per M \$90	Cents 12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11703; Filed, June 30, 1945; 11:55 a. m.]

No. 132—10

[MPR 260, Order 1393]

LA DEZ CIGAR CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) La Dez Cigar Company, 2542 15th St., Denver 11, Colo. (hereinafter called "manufacturers") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Dez	Club	50	Per M \$75	Cents 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11704; Filed, June 30, 1945; 11:56 a. m.]

[MPR 260, Order 1394]

JACOB E. GERTZ

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Jacob E. Gertz, 4939 Sheridan Road, Chicago 40, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Lucio	4 3/4 inches	50	Per M \$115	Cents 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted,



charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11705; Filed, June 30, 1945;  
11:56 a. m.]

[MPR 260, Order 1395]

A. B. CIGAR FACTORY

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) A. B. Cigar Factory, 1514 26 Ave., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
A. B. ....	Coronas Especiales.	50	Per M \$60	Cents 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each

brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11706; Filed, June 30, 1945;  
11:56 a. m.]

[MPR 260, Order 1396]

FRANK MUZIK CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Frank Muzik Company, 60-16th Avenue, SW, Cedar Rapids, Iowa, (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Sammy's Special.	4 1/2"	50	Per M \$56	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11707; Filed, June 30, 1945;  
11:57 a. m.]

[MPR 260, Order 1397]

DARIO SOTO

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:



(a) Dario Soto, 60 E. 106 St., New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
El Milagro.....	5-inch Blunts. 4 3/4 inch Coronitas.	50 50	Per M \$78.75 75.00	Cents 2 for 21 10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11708; Filed, June 30, 1945;  
11:57 a. m.]

[MPR 260, Order 1399]

RAMON VASQUEZ

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Ramon Vasquez, 1871 Lexington Ave., New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Corona.....		50	Per M \$40	Cents 5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for

which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11709; Filed, June 30, 1945;  
11:57 a. m.]

[MPR 260, Order 1399]

GONZALEZ & PEREZ

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) Gonzalez & Perez, 1816 19 Ave., Tampa, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Las Primas.....	Coronas.....	50	Per M \$56	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each



brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 2, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11710; Filed, June 30, 1945;  
11:58 a. m.]

[RMPR 161, Amdt. 2 to Order 53]

#### WEST COAST LOGS

##### APPROVED GRADERS AND SCALERS

For the reasons set forth in the accompanying opinion and under the authority vested in the Administrator by § 1381.158 of Revised Maximum Price Regulation 161, Order No. 53 is hereby amended as follows:

1. At the end of paragraph (a) (1), insert the following list of names of approved employees:

Percy Ames, Jr.	Leon C. Munger.
Arvid Backlund.	Orville H. Leyde.
Gordon S. Varrett.	Rene LaRocque.
Lynn Bell.	E. L. Knapp.
Albert O. Benson.	R. A. Kidd.
Francis C. Berry.	Thomas E. Hofto.
Dan M. Collins.	Arthur Herold.
Horace A. Macintosh.	R. M. Hayes.
R. Van Wingerden.	Arthur P. Hayes.
George Volligny.	W. T. Griffin.
Bernard Wilson.	R. E. Gould.
G. A. Spicer.	Walter L. Gedelman.
J. M. Small.	Ted Forseth.
S. S. Rowe.	Ed. Pithian.
C. J. Reader.	A. H. Ferguson.
S. E. Ramage.	B. J. Demers.
Jack Plaskett.	M. G. Cookingham.
R. E. Niemeyer.	Clarence H. Cotterell.

19 F.R. 9668, 10644, 13846, 14059; 10 F.R. 924, 2973, 4712.

2. At the end of paragraph (a) (2), insert the following list of names of approved employees:

K. E. Craig.	Edward S. Evanson.
C. H. Rose.	S. E. Cote.
E. A. Swedblom.	L. W. Taylor.
H. H. Stark.	Louis K. Nold.

3. At the end of paragraph (a) (3), insert the following list of names of approved employees:

Edgar Earl Moar.	Robert H. Blair.
O. I. Knoles.	Merton F. Hayman.
E. L. Smithson.	W. J. Bengtilla.
J. Roy McEvoy.	Henry A. Williams.
Howard E. Pike.	Paul Sexton.
Ross Ellicott.	A. W. Parker.
Edgar L. Smith.	Charles G. Herold.
Kenneth W. West.	D. N. Leahy.
Horace W. Caswell.	H. A. DuPuis.
Otis Menear.	R. B. Hartman.
Manly L. Smith.	J. E. Manthe.
Clarence V. Boone.	Lester R. Turner.
Carman J. Eyer.	Charles Beaver.
Ralph W. Horn.	H. C. Whitehouse.
Claude C. Fallin.	Marvin K. Alstott.
Ray C. Beaver.	

4. A new subparagraph (4) is added to paragraph (a), to read as follows:

(4) Northwest Log Checking Bureau, Portland, Oregon, employing the following:

Magnus A. Hill.	J. E. Herley.
William Redmann.	R. A. Smith.

5. In the list of names and addresses of approved individual graders and scalers contained in paragraph (b), the name and address of Mr. C. B. Rhoades, Olympia, Wash. is amended to read

Rhoades, C. B., 1560 Park Drive, Lebanon, Oregon.

and the name and address of Howard Fesum, Cascade Log Scaling Bureau, Sweethome, Oreg. is amended to read

Frum, Howard, Cascade Log Scaling Bureau, Sweethome, Oreg.

This amendment shall become effective June 30, 1945.

Issued this 30th day of June 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11760; Filed, June 30, 1945;  
3:12 p. m.]

[MPR 260, Order 1400]

#### THE TROPICAL CIGAR FACTORY

##### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Armando Bermudez dba The Tropical Cigar Factory, 918 Duval Street, Key West, Fla., (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Habana Corona.	5 1/4"	50	Per M \$154	Cents 20
Habana Perfectos.	5"	50	154	20

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or front mark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11836; Filed, July 2, 1945;  
11:40 a. m.]



[MPR 260, Order 1405]

## DE LURE CIGAR CO.

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) De Lure Cigar Co., 26 Buckner Blvd., New York City 54, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Aroma.....	Perfecto.....	50	Per M \$90	Cents 12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maxi-

mum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11837; Filed, July 2, 1945;  
11:40 a. m.]

[MPR 260, Order 1406]

## THE MELBOURNE CIGAR FACTORY

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) The Melbourne Cigar Factory, 2908 Powell Street, Melbourne, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Melbourne Corona.	2½".....	50	Per M \$93.75	Cents 2 for 25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales

of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11838; Filed, July 2, 1945;  
11:41 a. m.]

[MPR 260, Order 1407]

## W. H. DIETIKER

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) W. H. Dietiker, 6-a-Whitelaw, Wood River, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Dietiker's Panetela.	5".....	50	Per M \$40	Cents 5
Dietiker's Handmade.	5".....	50	44	2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not



be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11839; Filed, July 2, 1945;  
11:41 a. m.]

[MPR 260, Order 1408]

ISABELINO RODRIGUEZ

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) Isabelino Rodriguez, Juan Cruz Ortiz Street, Maunabo, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
42 Cigars.....	4 inch cigars....	50	Per M \$24	Cents 3

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11840; Filed, July 2, 1945;  
11:41 a. m.]

[MPR 260, Order 1409]

W. S. FOUTS

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) W. S. Fouts, 105 So. Wabash St., Wheeling, W. Va. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Blue Points.....	7 x 5½.....	50	Per M \$48	Cents 6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.



This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11841; Filed, July 2, 1945;  
11:41 a. m.]

[MPR 260, Order 1410]

P. B. CIGAR MFG. CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) P. B. Cigar Mfg. Co., 1535 Mt. Ephraim Avenue, Camden, N. J. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Miracle.....	Dukes.....	50	Per M \$82.50	Cents 11
Rivola.....	Queens.....	50	82.50	11
Prince of All.....	Princess.....	50	82.50	11
	Perfecto.....	50	72.00	9
	New-Deal.....	50	72.00	9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11842; Filed, July 2, 1945;  
11:42 a. m.]

[MPR 260, Order 1422]

DOMINGO LLERAS

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Domingo Lleras, 888 Westchester Avenue, Bronx 59, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Rivera.....	Coronas.....	50	Per M \$72	Cents 9
	Queen.....	50	90	12

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic

cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective July 3, 1945.

Issued this 2d day of July 1945.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 45-11843; Filed, July 2, 1945;  
11:42 a. m.]

#### SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-1020, 68-46]

WESTERN LIGHT & TELEPHONE CO. AND  
THE KANSAS POWER CO.

ORDER GRANTING APPLICATIONS AND DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of June, A. D. 1945.

Western Light & Telephone Company (Western), a registered holding company, and The Kansas Power Company (Kansas), a public utility subsidiary of Western, having filed joint applications and declarations and amendments thereto pursuant to sections 6, 7, 9 (a), 10, 12 (c), 12 (e) and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-50 and U-62 thereunder with respect to:

(1) The proposed merger of Western into Kansas (as the surviving corpora-



tion) under the name Western Light & Telephone Company, Inc. (Western, Inc.);

(2) The issuance by the surviving corporation of \$6,200,000 principal amount of first mortgage bonds to be sold at competitive bidding;

(3) The issuance of 151,949 shares of Western, Inc. \$25 par value 5% preferred stock (new preferred stock) to be offered on an exchange basis so that for each share of Western preferred stock, holders will be entitled to receive 1 share of new preferred stock plus \$1 in cash; for each share of \$7 preferred stock of Kansas, holders will be entitled to receive 4 shares of new preferred stock plus \$1 in cash; and for each share of \$6 preferred stock of Kansas, holders will be entitled to receive 4 shares of new preferred stock;

(4) The issuance of 237,664 shares of Western, Inc. common stock (new common stock) to be offered on an exchange basis so that holders of Western common stock will receive 1 share of new common stock for each 5 shares of Western common stock; and

(5) The solicitation by Western and Kansas of the holders of the Western common stock and the Western and Kansas preferred stocks for proxies approving the merger and the sale of the first mortgage bonds;

A public hearing having been held after appropriate notice and the Commission having considered the record and having made and filed its findings and opinion herein with certain reservations of jurisdiction therein stated:

It is ordered, That said applications and declarations as amended be and the same hereby are granted and permitted to become effective upon condition that copies of the Commission's findings and opinion herein be sent to security holders together with the proxy solicitation material and except with respect to the terms, conditions, fees, commissions or other remuneration to be paid in respect to the proposed sale of first mortgage bonds at competitive bidding and except

with respect to the legal fees and expenses and the financial agent's fees to be paid in connection with the proposed transactions, as to which matters jurisdiction is hereby reserved.

By the Commission.

[SEAL]

NELLYE A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 45-11903; Filed, July 3, 1945;  
9:35 a. m.]

[File No. 70-1104]

# NEW YORK STATE ELECTRIC & GAS CORP. NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 2d day of July, 1945.

Notice is hereby given that an application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by New York State Electric & Gas Corporation ("New York State"), a subsidiary of NY PO NJ Utilities Company, a registered holding company. All interested persons are referred to said application-declaration, which is on file in the offices of the Commission, for a statement of the transactions therein proposed which may be summarized as follows:

New York State proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50 of the rules and regulations promulgated under the act, \$10,000,000 principal amount of its --% First Mortgage Bonds due 1975 and 150,000 shares of its \$100 par value --% Cumulative Preferred Stock, the interest rate and dividend rate, respectively, to be determined by competitive bidding.

The proceeds from the proposed sale of such Mortgage Bonds and Preferred Stock, together with such amounts from the general funds of New York State as may be required, will be applied to the redemption of certain of its outstanding securities, as follows:

Security	Principal amount or shares	Redemption price	Aggregate redemption price
		Percent	
First mortgage gold bonds, 3 3/4% series due 1964.....	\$13,000,000.....	106	\$13,780,000
Serial preferred stock, 5.10% cumulative preferred.....	120,000 shares.....	107	12,840,000

New York State further proposes to change its presently outstanding 46,484 shares of common stock (all held by NY PA NJ Utilities Company), without par value, having an aggregate stated value of \$21,294,455.12, into 1,000,000 shares of common stock having a par value of \$20 per share. In this connection, and in addition to certain other accounting adjustments, New York State proposes to credit the resulting reduction of \$1,294,455.12 in the stated value of its outstanding common stock to its earned surplus account.

Applicant-declarant has designated sections 6 (a), 6 (b), 7 and 12 (c) of the act and Rules U-42 and U-50 as applicable to the proposed transactions.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said declaration shall not become effective nor said application granted except pursuant to further order of this Commission:

It is ordered, That a hearing on such matters under the applicable provisions

of said act and rules of the Commission thereunder be held on July 16, 1945, at 10:30 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, at which time the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such declaration or application (or both) shall become effective or shall be granted. Any person desiring to be heard in such proceeding shall file with the Commission, on or before July 11, 1945, his request therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Allen MacCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said application-declaration, particular attention be directed at such hearing to the following matters and questions:

1. Whether the proposed issue and sale of the First Mortgage Bonds and Cumulative Preferred Stock are solely for the purpose of financing the business of applicant-declarant, and whether it is appropriate in the public interest or for the protection of investors or consumers to impose any terms or conditions in connection therewith.

2. Whether the proposed change of applicant-declarant's common stock from no par value to par value, the accompanying reduction in the stated value thereof, and the issuance of additional shares conform to the applicable standards and requirements of sections 6 and 7 of the act.

3. The propriety of the proposed accounting treatment of the several transactions on the books of applicant-declarant.

4. Whether the fees, commissions, and other expenses to be incurred are for necessary services and reasonable in amount.

5. Generally, whether the proposed transactions comply with all applicable provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder, and, if not, whether and what modifications or terms and conditions should be required to be imposed to satisfy the statutory standards.

By the Commission.

[SEAL]

NELLYE A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 45-11904; Filed, July 3, 1945;  
9:35 a. m.]